DOCUMENT RESUME

ED 326 646 CE 056 385

AUTHOR Riffel, Rodney
TITLE Job Training. A Legislator's Guide.
INSTITUTION National Conference of State Legislatures, Denver, CO.
SPONS AGENCY Employment and Training Administration (DOL), Washington, D.C.
REPORT NO ISBN-1-55516-331-9
PUB DATE Sep 86
CONTRACT 99-3-3164-72-028-01
NOTE 88p.
PUB TYPE Guides - Non-Classroom Use (055)

EDRS PRICE MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS Adult Basic Education; *Compliance (Legal); *Employment Programs; Federal Legislation; Federal Programs; *Job Training; *Policy Formation; Postsecondary Education; Program Development; Program Implementation; *State Legislation; *State Programs
IDENTIFIERS *Job Training Partnership Act 1982

ABSTRACT

This guide is intended to help state legislators enact legislation and create programs of job training within the provisions of the Job Training Partnership Act (JTPA). The guide's five sections cover the following: job training policy (an introduction); establishing oversight of a state's job training resources; the state legislature and the State Job Training Coordinating Council; using JTPA to coordinate opportunities for employment; and the need for state enabling legislation for JTPA. Two appendixes provide information on specific state legislative roles found in JTPA and questions to ask about a state's labor market information (LMI) program. Twenty-seven references are included. (KC)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED326646

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy

"PERMISSION TO REPRODUCE THIS MATERIAL IN MICROFICHE ONLY HAS BEEN GRANTED BY

D Loos

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

Job Training

A Legislator's Guide

CE056385

National Conference of State Legislatures

BEST COPY AVAILABLE

The National Conference of State Legislatures is the official representative of the country's 7,461 state lawmakers and their staffs.

NCSL was created in January 1975 from the merger of three organizations that served or represented state legislatures. NCSL is a nonpartisan organization with three objectives:

- To improve the quality and effectiveness of state legislatures;
- To foster interstate communication and cooperation; and
- To ensure states a strong, cohesive voice in the federal system.

The Conference operates from offices in Denver, Colorado, and Washington, D.C.

Executive Director: Earl S. Mackey

Job Training

A Legislator's Guide

by
Rodney Riffel

edited by
Sharon Bjorkman

National Conference of State Legislatures

1560 Broadway, Suite 700
Denver, CO 80202-5140
(303) 830-2200 FAX (303) 863-8003

444 North Capitol Street, N.W., Suite 500
Washington, D.C. 20001

September 1986

Funding for this publication was provided by the Employment and Training Administration (ETA) of the U.S. Department of Labor through contract number 99-3-3164-72-028-01 and by the National Conference of State Legislatures. The purpose of this guide is to provide state legislators and their staffs with information on state initiatives in job training, in general, and the Federal Job Training Partnership Act, in particular.

Copyright © 1986 by the National Conference of State Legislatures
ISBN 1-55516-331-9

Table of Contents

Foreword v

Acknowledgments vii

Executive Summary ix

I An Introduction to Job Training Policy 1

II Establishing Oversight of a State's Job Training Resources 15

III The Legislature and SJTCC 25

IV Using JTPA to Coordinate Opportunities for Employment 35

V Is State Legislation Needed? 57

Appendix A Specific State Legislative Roles Found in the Job Training Partnership Act 69

Appendix B Fourteen Questions to Ask About a State's LMI Operation 73

Notes 75

Selected References 77

Foreword

The past three years have seen the states move to a leadership position in the area of job training and economic development. The federal Job Training Partnership Act (JTPA) has been instrumental in fostering the effort, as well as serving as a catalyst for reexamining a variety of human resource programs in the states.

The National Conference of State Legislatures (NCSL) is pleased to note the role accorded legislatures in the implementation of JTPA. This role is essential to achieving the goals of the law and establishing them in state policy and practice. This guide, produced with the support of the U.S. Department of Labor, is designed to assist state legislatures in attaining these objectives.

Earl S. Mackey
Executive Director
National Conference of State Legislatures
August 1986

Acknowledgments

For the past three years, the U.S. Department of Labor has generously supported the National Conference of State Legislatures in working with state lawmakers and staff in the area of employment and training. This guide is the product of many telephone conversations, surveys, and contacts with the department and those individuals. It is only fitting that they receive primary acknowledgment.

Many others have participated in the development of this guide. The content has been improved by the comments of Lorraine Amico, Paula Duggan, Evelyn Ganzglass, Carl Van Horn, and Joan Wills. At NCSL, much of the substantive materials of Chapter III have been adapted from the work of Diane Massell. Appendix A is merely a revision of material by Ron Field. Bill Harrison commented extensively on various drafts, which Barbara Hailes and Pauline Gage Jones typed. Sharon Bjorkman served as editor. Any errors or omissions in the guide, however, are the sole responsibility of the author.

Executive Summary

A growing number of state legislatures are enacting job training legislation to create more competitive workforces in an increasingly international marketplace. Job training strategies help dislocated workers find employment. Such policies also can prevent unemployment by giving workers new skills. Moreover, many states are using job training to reduce welfare rolls, thereby making their residents more independent.

The common resource that states are using to accomplish these goals is the federal Job Training Partnership Act. JTPA contains a series of methods for training the unemployed as well as for evaluating the outcome. The key strategy of the law is found in Title II-A, Adult and Youth Programs. This section provides funds to states through a formula based on the percentage of unemployed and economically disadvantaged individuals in a state. Then the funds are reallocated to geographic jurisdictions called service delivery areas (SDAs). Each SDA contains a private industry council (PIC), a coalition of private and public sector representatives, which determines how to spend the Title II-A monies. The PIC represents two fundamentals of the JTPA law. The first is that decisions about how to spend training dollars are best made in local communities where people work. The second is that the private sector should have a role in deciding how to prepare people for employment.

Title III, Programs for Dislocated Workers, is another key strategy of JTPA. In this section, funds are allocated by formula to states for meeting the employment needs of dislocated workers. States have broad-ranging authority over how to spend these funds. The law also provides additional discretionary funds to the secretary of labor for dislocated worker projects. The money is available to states upon application by governors. JTPA also contains funds for the Job Corps, Veterans, and Youth Summer Employment Programs.

State legislators interested in JTPA need to be aware of another feature of the law: the State Job Training Coordinating Council (SJTCC). SJTCC has broad powers to advise a governor on establishing not only SDAs and PIC programs, but also a series of set-aside monies in Title II-A to coordinate JTPA with a state's education program and programs for older workers. Many states are using SJTCC to examine a broad array of state human resource investments. These reviews are leading to reexamining state laws in areas such as

welfare, vocational education, and economic development. Forty-seven states have placed state legislators on SJTCC.

JTPA encourages state policymakers to become involved in the operation of the program. Local PIC plans are sent to the legislature for review and comment. In addition, state legislatures are encouraged to pass laws in support of the act's goals.

Maintaining oversight in a program with such diverse goals as JTPA's is a key problem for legislatures. This guide details a variety of ways state legislatures establish fiscal oversight, maintain communication of the state and local planning process, and oversee general policy of the act. Included are charts and tables that list questions legislators may use to begin the oversight process in their states.

Because such a range of human resource and education programs relates to job training policy, some states are using JTPA as a catalyst to develop a more systematic delivery of services. Lawmakers have a major role in this process. State legislatures set education policy, for example. They determine welfare and unemployment insurance eligibility requirements. They also control the state employment service and are responsible for economic development policy. The combination of all these functions places legislators in a central role to determine the operation of their state's programs. This guide discusses how legislators can inventory current resources and reallocate them more effectively to train the state's citizens for employment.

Much legislative activity to oversee and design state job training policy may occur without passing laws or appropriating new dollars. This guide concludes, however, with a discussion of which states have passed legislation on JTPA and examines related state laws that foster its goals.

I

An Introduction to Job Training Policy

What Is Job Training?

Job training programs assist youth and adults in learning the basic and vocationally specific skills necessary to help them enter or remain productive members of the workforce. Such programs provide remedial education as well as retrain workers. More targeted than standard public education or vocational programs, job training frequently is considered a "second track" or alternative to the public education delivery system, which has prepared most individuals for their first job.

Job training policies are complex. For example, the programs operate on the federal, state, and local levels with both public and private sector involvement. These programs are linked directly to a state's education and economic development programs. When targeted to groups such as the economically disadvantaged or welfare recipients, the programs affect social policy as well. For these reasons, job training policies are difficult to formulate, coordinate, and oversee.

In most states, job training resources are diffuse and decentralized. They are provided by public and private agencies, administered by a variety of state agencies, and funded by multiple federal, state, and local resources. Generally, the more disadvantaged or poorly prepared an individual is for employment, the more likely he or she needs several resources to make it into the labor market successfully.

Why Is There an Interest in Job Training?

In the past three years, the number of legislatures involved in state job training policies has increased. There are at least four reasons for this interest:

- *Job training is a way to meet the needs of the unemployed.* Unemployment remains a serious problem in many states. Despite the economic recovery, 8.5 million Americans are out of work. Among adults, much of this unemployment is structural, i.e., in industries not likely to recover from current high unemployment rates. The youth joblessness problem is a particularly costly concern. Nearly 40 percent of the unemployed are under the age of 25. In this age group, only 23.3 percent of blacks and 35 percent of Hispanics (compared with 47.9 percent of whites) are working. These percentages suggest a major potential loss over time of human resources—an issue future taxpayers will need to address. State legislators are beginning to see job training as a way to avert this potential loss.
- *Job training helps develop strategies to prevent future unemployment in the workforce.* Although the number of jobs is growing, the need for new skills is leaving many people behind. The largest increase in current and projected employment occurs in the service sector. (These jobs traditionally pay less than those in the manufacturing sector, which has seen the greatest decline.) The issue of training also involves retraining since technological changes may require life-long relearning for employment. This need places an additional burden on education systems, especially when many new jobs require a higher level mastery of basic skills. Job training, in turn, ties in to a state's need for economic development, which may

depend on a technologically competent workforce. State legislators can use job training to prevent future unemployment.

- *Job training combats poverty and inequities among individuals.* Despite common belief, welfare policies do not lead people into long-term dependency on governmental programs. Recent research findings show that only 2 percent of the population is "persistently poor." Training, especially when coordinated with welfare programs, can be an effective antipoverty policy. Conversely, increased unemployment puts a greater demand on state services for health care, mental health services, welfare, and unemployment compensation, while at the same time reducing the tax base that funds these programs. Training also can help eliminate racial and sexual discrimination in the work place by developing specific occupational preparation programs for those being discriminated against.
- *Job training is a way to better manage a state's human resource policies.* Because job training is such a wide-ranging policy, it naturally leads to questions about the performance of related federal and state programs. By focusing on job training, a legislature can better manage the operation of human resource programs in a state.

Overview of the JTPA Legislation

While most job training takes place in the private sector, the major public resource that funds job training programs is the federal Job Training Partnership Act. The act establishes training programs to prepare unskilled youth and adults for employment. It contains special provisions for summer youth employment and training programs, dislocated and older workers, Native Americans, migrant and seasonal farmworkers, and veterans. Training programs can use a variety of strategies to meet the diverse needs of those eligible for JTPA programs — classroom training, on-the-job training (OJT), work experience, and job corps, to name a few.

JTPA represents a major change in federal employment and training policy by giving states a substantial role in directing the policy of their own employment and training programs. Because job training policies must be closely coordinated with others such as education, labor market information, and job placement, JTPA also contains amendments to the Wagner-Peyser Act, the Social Security Act, and the Carl D. Perkins Vocational Education Act to implement its goals.

A key provision of JTPA is that its services are delivered locally through agreements by the public and private sectors. Two issues have emerged in implementing the law:

1) How are state and local roles sorted out? and
2) How are the responsibilities of the public and private sectors defined?

JTPA's emphasis on the partnership between the public and private sectors makes it different from its predecessor, the Comprehensive Employment and Training Act (CETA). JTPA differs from CETA in other ways as well. In the former, federal funds go by formula to states, not directly to localities. States also play a larger role in the administration of and responsibility for the funds. Unlike CETA, no funds are provided to subsidize jobs in public service employment. JTPA's emphasis is training.

How JTPA Works

A state's governor is responsible for the administration of JTPA. Typically, the governor chooses a state administrative entity to oversee the law. This process may or may not require legislative approval.

The governor is required to establish a planning and advisory group, the State Job Training Coordinating Council. As JTPA programs become institutionalized in state policy and practice, the significance of SJTCC is increasing. Many governors are adopting the council's recommendations as policy. This policy can affect substantially how a variety of state programs operate.

The governor is also responsible for dividing a state into a series of service delivery areas. SDAs are defined in the law as "any unit of general local government with a population of 200,000 or more" or "any consortium of contiguous units of general local government with an aggregate population of 200,000 or more which serves a substantial part of a labor market area" [Sec. 101(a)(4)(A)].

Table 1. Distribution of Service Delivery Areas

State	Number of SDAs	State	Number of SDAs
Alabama	3	Montana	2
Alaska	3	Nebraska	3
Arizona	10	Nevada	2
Arkansas	9	New Hampshire	Single State
California	49	New Jersey	19
Colorado	10	New Mexico	2
Connecticut	9	New York	16
Delaware	1	North Carolina	12
Florida	24	North Dakota	Single State
Georgia	16	Ohio	29
Hawaii	4	Oklahoma	12
Idaho	6	Oregon	8
Illinois	26	Pennsylvania	27
Indiana	17	Rhode Island	3
Iowa	16	South Carolina	Single State
Kansas	5	South Dakota	Single State
Kentucky	12	Tennessee	14
Louisiana	16	Texas	34
Maine	2	Utah	9
Maryland	10	Vermont	Single State
Massachusetts	15	Virginia	14
Michigan	26	Washington	12
Minnesota	12	West Virginia	2
Mississippi	3	Wisconsin	17
Missouri	15		

Source: U.S. Department of Labor, 1984.

The Role of the Private Industry Council

Within an SDA, a private industry council is formed

> to provide guidance for, and exercise oversight with respect to, activities under the job training plan for its service delivery area in partnership with the unit or units of general local government within its service delivery area [Sec. 103 (a)].

The chief elected official within SDA chooses the PIC members from a recommended slate. The council must be certified by the governor. The law mandates the PIC membership according to a formula that includes both the private and public sectors. Private sector members can include owners of businesses or chief executive officers. Representatives of the public sector can be drawn from organizations such as rehabilitation agencies, organized labor, community-based organizations, economic development agencies, and the public employment service. The council is responsible for determining how the local JTPA dollars will be spent. For that reason, some states are requiring PIC members to meet state conflict-of-interest standards.

Within a state, especially one with many SDAs, a variety of administrative relationships can exist between the administrators of the PIC and the local elected official (for example, a mayor or county commissioner) over the responsibility for and expenditure of training dollars. In some places, local politics may influence this administrative process. In some states, PICs have become incorporated. Legislators can expect great variation in the way PICs operate within and among states.

The PIC exemplifies a fundamental strategy of current federal employment and training policy — that how to train people and for what occupations are best discussed locally in the labor market or community where they reside. This process will, in turn, succeed only if the local business community plays a major role in the decision-making process.

This strategy suggests that some legislators can expect to be lobbied by PIC members in their districts for a variety of reforms in state policies or regulation. This practice is already happening.

Funding Responsibility Under JTPA

Congress appropriated $3.7 billion for JTPA in 1985. These funds contain a variety of federal, state, and local program strategies, including the Job Corps and summer youth programs, divided into five titles (see Table 2).

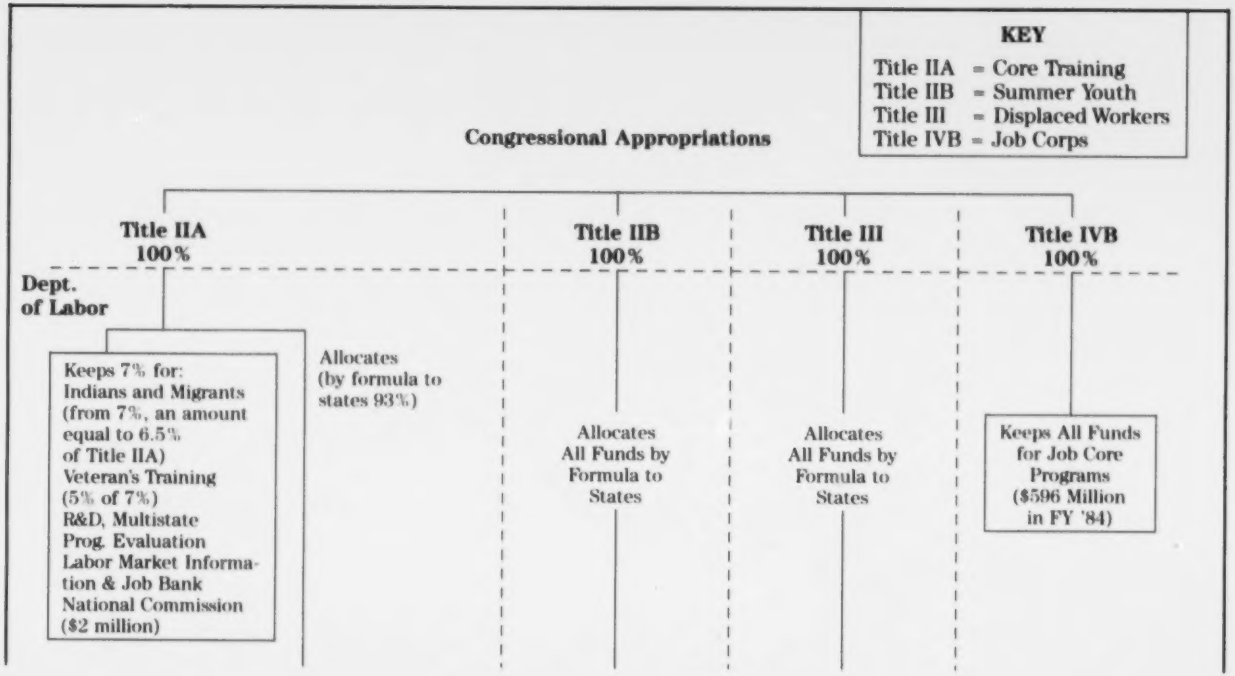
How the Core Training Dollars Flow

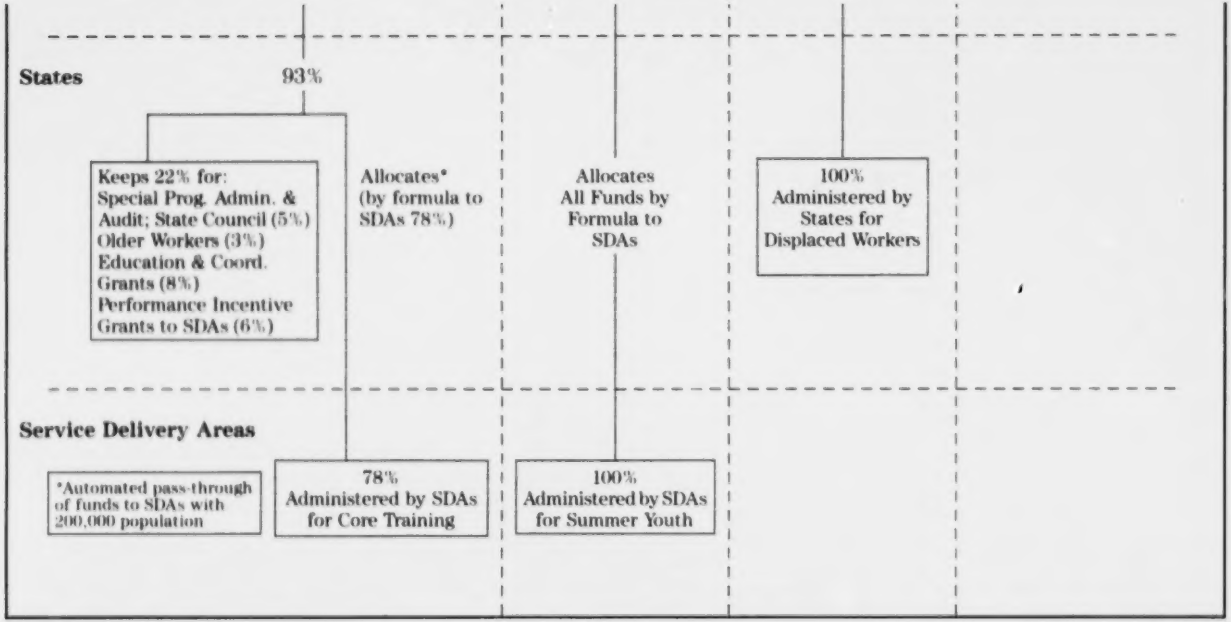
The major state training dollars are found in Title II-A (see Figure 1). Of the core training monies (Title II-A) coming into a state, 22 percent are set aside to provide services to older workers, coordinate a state's education and training policies (which requires a state match), and give incentive grants to SDAs that meet their projected performance standards for JTPA programs. These set-aside monies are central to developing a state strategy for JTPA and require the system to be coordinated directly with other state policies.

Seventy-eight percent of the core training funds coming into a state must go by a federally determined formula to the service delivery area. Of these monies:

- Seventy percent must be spent on training. (Forty percent of the core training dollars must be spent on youth training programs.)
- Thirty percent must be divided between administrative costs and providing support services such as stipends, transportation fees, and childcare costs to participants in training programs.

Figure 1.
Flow of Funds Under the Job Training Partnership Act


KEY
Title IIA = Core Training
Title IIB = Summer Youth
Title III = Displaced Workers
Title IVB = Job Corps
Congressional Appropriations
Title IIA 100%
Title IIB 100%
Title III 100%
Title IVB 100%
Dept. of Labor
Keeps 7% for:
Indians and Migrants (from 7%, an amount equal to 6.5% of Title IIA)
Veteran's Training (5% of 7%)
R&D, Multistate Prog. Evaluation
Labor Market Information & Job Bank
National Commission ($2 million)
Allocates (by formula to states 93%)
Allocates All Funds by Formula to States
Allocates All Funds by Formula to States
Keeps All Funds for Job Core Programs ($596 Million in FY '84)


States
93%
Keeps 22% for:
Special Prog. Admin. & Audit; State Council (5%)
Older Workers (3%)
Education & Coord. Grants (8%)
Performance Incentive Grants to SDAs (6%)
Allocates* (by formula to SDAs 78%)
Allocates All Funds by Formula to SDAs
100% Administered by States for Displaced Workers
Service Delivery Areas
*Automated pass-through of funds to SDAs with 200,000 population
78% Administered by SDAs for Core Training
100% Administered by SDAs for Summer Youth

Source: National Alliance of Business.

Table 2. Outline of the Job Training Partnership Act

Title I: Job Training Partnership
- Part A Service delivery system
- Part B Additional state responsibilities
- Part C Program requirements for service delivery systems
- Part D Federal and fiscal administrative provisions
- Part E Miscellaneous provisions

Title II: Training Services for the Disadvantaged
- Part A Adult and youth programs
- Part B Summer youth employment and training programs

Title III: Employment and Training Assistance for Dislocated Workers

Title IV: Federally Administered Programs
- Part A Employment and training programs for Native Americans and migrant and seasonal farmworkers
- Part B Job Corps
- Part C Veteran's employment programs
- Part D National activities
- Part E Labor market information
- Part F National commission for employment policy
- Part G Training to fulfill affirmative action

Title V: Miscellaneous Provisions

Source: U.S. Congress, P.L. 97-300, Oct. 13, 1982.

Responsibility for Program Dollars

The federal legislation is not clear about who is fiscally responsible for the appropriate expenditure of these funds. The law does not consider state constitutional differences and state legislative authority over the appropriation of federal dollars in its discussion of fiscal liabilities. The U.S. Department of Labor's regulations (Sec. 626.4) recognize the governor as recipient of JTPA funds. Should a governor be found to have incurred disallowed costs under JTPA, however, the legislature may be required to appropriate the needed monies.

Most states are implementing the program by following their own procedures for the oversight of federal funds and by other policies established by the state constitution. The degree of legislative involvement, then, varies according to the state.[1] Legislators concerned about this issue may want to schedule some budget hearings or use other mechanisms for oversight.

The issue of liability for funds is a key state concern in establishing JTPA programs. While the law does nothing to prohibit the secretary of labor from holding the recipient of SDA grants liable for their use, the Department of Labor's regulations are explicit as to the governor's responsibility.[2]

The secretary is to hold the governor responsible for all funds under the grant. The governor is to hold subrecipients, including SDA grant recipients, responsible for JTPA funds. Although the state is liable for dollars spent, it is prevented from directing how those local dollars will be spent [Sec. 121(b)(1)].

Once again, state policies and practices may require the legislature to appropriate funds to cover a governor's liability if disallowed costs are established. In addition, legislators should be aware that involvement in setting policies that affect SDA and PIC operations may incur liability on their part, too.

At the same time, the legislature may be called upon to hear differences between the state administrative entities and local program operators. This situation may be necessary because the federal government holds governors responsible for the use of funds, which allows local officials no access to the federal government for appeal.

Serving a Special Problem: Worker Dislocation

Title III of JTPA targets dislocated workers. Worker displacement is a special type of unemployment often referred to as structural unemployment. The reasons for the unemployment vary. Changes in technology, antiquated worker skills, and international competition all can cause plant closings. As such, worker displacement is often a concentrated problem; i.e., specific localities may suffer more than other areas of a state. Hence, to allow flexibility, the funding strategy of JTPA is to distribute the monies directly to the states:

- Seventy-five percent of funds distributed by formula based on:
  - Total unemployment;
  - Excess unemployment over 4.5 percent;
  - Number of persons unemployed for 15 weeks or longer.
- Twenty-five percent of funds distributed at the discretion of the secretary of labor to states for special projects and situations.

States are required to match their formula funds on a dollar-to-dollar basis. The match is adjusted by a formula that considers how the state's average unemployment rate exceeds the national average. The secretary's discretionary monies do not require a state match.

Determining the Success of JTPA Programs

Congress clearly stated its philosophy about job training:

> The Congress recognizes that job training is an investment in human capital and not an expense. In order to determine whether that investment has been productive, the Congress finds that
>
> 1) it is essential that criteria for measuring the return on this investment can be developed; and
> 2) the basic return on the investment is to be measured by the increased employment earnings of participants and the reductions in welfare dependency [Sec. 106(a)].

The law requires that each state evaluate JTPA programs by a method of measurement referred to as performance standards. The Department of Labor has defined Congress' concern in a series of measures that each state must adopt. These measures are a management tool to determine SDA performance. They do not allow for an individual assessment of the effect of the program on participants. States can adapt these measures using a sophisticated statistical regression methodology. One of the more controversial issues in implementing the law is how to define and make the performance measures operational. Some states, such as Kansas, are adopting additional performance standards.

To be effective, performance standards require coordination between job training and other human resource policies. Their implementation may require state legislative involvement, especially if state agencies are unwilling to cooperate in cross-agency data collecting. Legislators are advised to approach this issue cautiously since the process is complicated and, currently, too controversial to draw simple conclusions on what values should be attached to performance standards.[3]

Table 3. National Performance Standards Prescribed by the U.S. Department of Labor

Factors for Measuring Adult and Youth Participation in JTPA Programs

Adult

Entered employment rate*
Cost per entered employment
Average wage at placement
Welfare-entered employment rate

Youth

Entered employment rate
Positive program termination rate
Cost per positive termination

*Entered employment rate refers to the number of individuals (who entered employment at the termination of the training program) as a percentage of the number of individuals who were terminated.

Source: U.S. Department of Labor, 1984.

The Department of Labor has defined each of the terms in Table 3 using a series of measures and is developing plans for postprogram measures. At least one state, Wisconsin, has raised this concern in its legislative audit of the programs. Some states are developing their own plans for follow-up activity.

In the long run, performance measures are important for assessing the success of JTPA participants. The measures also will evaluate the program strategies used to train participants for employment. As an evaluation technique, performance standards can be adapted to a variety of state-funded programs to help legislators assess program effectiveness more efficiently.

What Is the Mandated Responsibility of the State Legislature?

The state legislative role is more permissive than mandatory. JTPA is required to fit into state procedures for administering federal dollars. The required and chosen role of the legislature varies from state to state. (See Appendix A for a list of potential legislative roles.)

In Section 105, the act requires state legislators to receive copies of the local SDA job training plans for their review and comments. This mandate can be a useful oversight tool for it allows lawmakers to assure themselves that local plans comply not only with state laws but also with state priorities in economic development; secondary, postsecondary, and vocational education; and other forms of interprogram coordination.

Potentially, the most important role for the state legislature appears in Section 126, "The Authority of State Legislatures":

> Nothing in this Act shall be interpreted to preclude the enactment of state legislation providing for the implementation, consistent with the provisions of this Act, of the programs assisted under this Act.

This is a broad and permissive mandate. Congress clearly intended the legislature to be involved in establishing the state's job training programs. The law allows states to decide how this participation will evolve.

II

Establishing Oversight of a State's Job Training Resources

Keeping Informed

The first step in establishing oversight is for the legislature to develop a way to keep informed of how the Job Training Partnership Act and related programs are operating in the state. Staying informed can be done either by law or by informal agreement with state and local administrators.

The obvious reason for wanting to be informed is to make sure the limited JTPA dollars are being used wisely. This reason directly relates to the liability for JTPA dollars which is, by law, a state

responsibility. States can limit their liability by giving localities control of the programs. The SDA grant recipients then assume responsibility for their program contractors and subcontractors.

There is another reason why legislators need to know what is happening to JTPA dollars in their districts. Only states have access to the federal appeals process. If an SDA has misspent monies, it may have to repay the funds without the benefit of an appeal. Legislators also may need to insure that state administrative mechanisms clarify the liability of state JTPA dollars for local administrators.

The risk of misspent funds may occur in four areas:

- Ineligible participants in the program;
- Improper cost categorization, such as spending more for administrative or support service costs than the law allows;
- Inadequate documentation to support expenditures; and
- Deficiencies with subcontractors.[4]

Legislators will want to make sure they have access to information on these areas, especially concerning JTPA operations in their local districts. There are several ways this can be done.

Requesting Information of State and Local Activities for Each Legislative House

The easiest way for a legislature to stay informed of the program's performance is to request that both houses receive copies of the various state and federal reports prepared by the state and local administrators of the JTPA program. These reports could be sent to either the legislative leader's office or the committee assigned to program oversight. In its state enabling legislation for JTPA, the Iowa General Assembly specifies this process in detail:

> By January 15 of each year, the governor shall submit an annual report on the effectiveness of the state job training partnership program. The report shall include an estimate of funds to be allocated at the state level for administrative purposes. . . .

> Provide the secretary of the Senate, chief clerk of the House and members of the Legislative Council with copies of quarterly performance reports submitted to the Office of the Governor in accordance with the federal act and copies of the annual financial reports submitted to the Office of the Governor by the Private Industry Councils. The Office of the Governor and the Private Industry Councils shall provide copies of reports and other information upon request of a member of the General Assembly.

Twenty-three states (see Table 4) require that the state plan produced by the State Job Training Coordinating Council be reviewed by the legislature, either through the leadership's office or by committee. This requirement has been imposed by legislatures; it is not required by federal law.

The process of state legislative review of plans varies. In some states, the staff receive the plans directly from SJTCC and then distribute them to legislative committees, the leadership, and/or each legislator. In other states, the leadership sends its copies on to appropriate committees. SJTCC also can distribute the plans directly to committees with oversight responsibility.

A recent NCSL survey of state legislative oversight of JTPA programs identified eight different committees that receive SJTCC plans: Ways and Means, Appropriations, Education, Labor, Human Resources, Federal Relations, Commerce, and Economic Development. A major concern for state legislatures is how to coordinate the committees' review and comments on the state plan into a useful response to the governor.

Table 4. States Requiring Legislative Review of State Plans

Alabama	Kentucky	Oklahoma
Arkansas	Maine	Rhode Island
California	Maryland	South Carolina
Florida	Michigan	Tennessee
Hawaii	Mississippi	Texas
Idaho	Nebraska	Wisconsin
Illinois	New Jersey	Wyoming
Kansas	New York	

The federal law requires the private industry councils to submit their local plans to "each House of the State Legislature" [Sec. 105(a)(b)] for review and comment not less than 120 days before the beginning of the first two program years covered by the job training plans. One major problem in developing communication between legislatures and the state and local administration has been getting this process in place. Given the burden of establishing JTPA systems, many administrators have ignored this requirement. At the same time, many legislatures have not established systems for channeling plan review. Where such a system is in place, it is largely a pro forma process with no formal comment on the plans being prepared. This fact will likely change as the program becomes institutionalized and legislatures begin to provide more financial support for JTPA's operation (see sidebar).

How Involved Should the Legislature Be in the JTPA Planning Process?

Although a few states, such as North Carolina, have requested special reports from SJTCC, most state legislatures have preferred not to specify what goals state and local planning should accomplish. There are several reasons for this. First, JTPA is a relatively new program. Second, state legislators want the state administration to have a planning process in place before oversight occurs. Third, legislators view job training planning as a prerogative of the executive branch of government.

The California General Assembly presents an exception to this process. The legislature recently passed the Greater Avenues for Independence (GAIN) Act of 1985, a comprehensive state strategy for providing employment and training opportunities for state welfare recipients. The program relies mostly on the JTPA system and the coordination of 29 state and federal programs funded by a variety of administrative mechanisms. A key prerequisite of GAIN is coordinated planning, especially between SDAs (with their JTPA funds) and counties (recipients of state welfare monies). To insure the program's success, the law requires nine points to be included in the SDA plans:

> Section 15043. Service delivery area plans shall contain provisions required by the federal Job Training Partnership Act and this division including, but not necessarily limited to, the following:
> a) A description of the service delivery area's system for administering and delivering services including private industry council membership.
> b) A description of, and the rationale for, the service delivery area's eligibility and services priorities, the types of services and training provided, the industries and occupations of training, the criteria for the content and quality of training, the entities delivering services, and the performance measures used.

c) A description of the coordination with and the uses made of other agencies and organizations within the service delivery area providing job training, vocational education, client advocacy, childcare and employment services, which shows the value of these other resources in addressing the needs reflected in the plan. This shall include a description of how the plan meets the needs of participants served under county plans.
d) A proposed budget for the planning period describing program objectives, services to be provided for the purpose of achieving those objectives, the sources and amounts of funds to be allocated to each type of service, and estimates of the number of persons in each eligibility category in need and the number of persons in each eligibility category to be served by each type of service.
e) A state report on the activities of the current fiscal year.
f) A description of the activities, financial condition, and accomplishments of the service delivery area's job preparation and training services program for the preceding fiscal year.
g) A description of the condition of job preparation and training services taking place in the service delivery area, including an analysis of issues confronting the program and recommendations appropriate to resolve such issues.
h) A description of the unmet childcare needs of participants eligible for services under this division, including an assessment of the role of employers in reducing this barrier to participation.
i) Assurance that economically disadvantaged women and minorities will be served with federal Job Training Partnership Act funds, with respect to Title I and Title II of the act, at a rate that approximates their rate of representation and need for job training among the economically disadvantaged within each service delivery area. If the goals of the plan are not designed to comply with this subdivision, the private industry council shall submit its justification for noncompliance to the State Job Training Coordinating Council and the governor.

The California legislature also has required that the governor's Coordination and Special Services Plan include a series of specifications to enforce these requirements.

The amount of legislative involvement in the planning process will obviously vary according to the purpose or goal the state legislature attaches to a state's JTPA program.

Reviewing State and Local Plans

The state's Coordination and Special Services Plan and the local PIC plans indicate what strategies will be used to allocate the job training resources. The federal law, in Section 104 for local plans and Section 121 for the state plan, specifies what items the plans should discuss. A more difficult job is to distinguish what makes a good plan. A good plan (whether state or local) will go beyond merely repeating the federal planning requirements to designate a series of strategies for matching fiscal resources with training needs. More than a compliance document, the plan should map out how the goals of the program will be accomplished.

There are several rules of thumb to keep in mind when reviewing a plan. First, the legislature's review might differ from the state's administrative review of the same plan. (There is little need to repeat what the governors are required to do.) Legislators need not focus on the plan's compliance with the federal law but rather on the strategies the state administrators and local PICs are using to meet job training needs.

Review of the plans is a five-step process:

1) Determining the legislative priorities for the JTPA programs to have a base to compare the program against;
2) Knowing the governor's coordination criteria for the state plan to assess how well SDAs are meeting state policy;
3) Obtaining copies of the procedures the governor will use for review and approval of the local PIC plans;
4) Examining local plans to see how they fit not only the governor's plan but also the legislative goals; and
5) Assessing the extent to which outside groups have been able to review and comment on the various plans and evaluating how the appeals process operates when a challenge to a plan is made.

There are additional reasons for separate review of state plans and local plans. These are explained in Tables 5 and 6.

Table 5. Key Points for Legislative Review of Governor's Coordination and Special Services Plan

- How are the governor's goals defined and measured to assess their success?
- How are public and private interests considered in allocating resources?
- Are all available resources described?
  - Vocational education programs;
  - Welfare/AFDC (Aid to Families with Dependent Children) policies;
  - Wagner-Peyser programs;
  - Unemployment compensation recipients;
  - Economic development policy.
- Does the plan detail a strategic use of state resources with JTPA set-asides?
- Where agency coordination is described, do measures of the coordination exist?
- How uniform is the planning process across coordinated agencies?
- Does the plan provide for recommendations to change state laws involved in employment and training programs or does review of the plan suggest needed changes in state law?

Source: National Conference of State Legislatures, 1986.

Table 6. Key Points in Reviewing Local PIC Plans

- Did the legislators and citizens have access to the planning process in their districts?
- Has the planning process been open for input from various special interest groups?
  - Hearings held;
  - Timeliness in preparation allowed for review and comment;
  - Issues of special groups considered in preparation of the plan.
- Has the possibility of a conflict of interest between PIC membership and grant recipients been adequately addressed?
- Does the plan:
  - Identify populations to be served;
  - List resources and organizations available;
  - Identify strategies to match resources and organizations with the population to be served?
- Are the state-generated incentive grants or other state set-asides discussed in any way?
- Have the state accounting and financial management systems for JTPA dollars been discussed?
- Are strategies for meeting performance standards specified?
- Most important, does the PIC plan go beyond merely listing and describing information necessary to comply with state and JTPA statutes to clearly indicate that a planning process has taken place?

Source: National Conference of State Legislatures, 1986.

Current State Review Processes Vary

In Kentucky, a legislative standing committee actually reviews the individual SDA plans. The legislature, however, is not compelled to prepare a written, formal review for the plans. Comments can be indicated informally. An important oversight goal is merely making sure the planning process is open (Wisconsin has established this in state law), with the participation of all groups necessary to achieve a comprehensive employment and training system in the state. Again, making sure interested parties in the legislature have access to the planning information is a major step in achieving that goal.

Obviously, legislative involvement in the planning process and program operation is more effective before the plan is submitted to the general government for review. But if a legislature wants to be involved in setting JTPA policy after the planning process has been established, nothing in the federal law prohibits this involvement.

Conducting Oversight During the Interim Session

Keeping informed of JTPA programs can be more difficult when the legislature is not in session. When they are not in session, most state legislatures have some mechanism to receive and oversee federal monies. Rules and procedures acts for monitoring executive branch activity also have interim mechanisms.

A problem with JTPA interim oversight is establishing the channeling of information to individual legislators and to the legislature as a whole. During the interim, legislative representatives on SJTCC may have to bear more responsibility for keeping the legislature informed.

Again, each legislature must decide how the channels of information will flow — through either the leader's office or the oversight committee. The enabling legislation for JTPA can specify these mechanisms.

Despite how formal the law states the mechanisms for oversight should be, a real test of access to information will be whether a legislator or staff member can call the administrative counterpart for information or policy clarification. In many states, this procedure may take time to develop. Unlike those in charge of education or welfare programs, state job training administrators have had little experience in communicating with legislators. If not reluctant, these administrators often may not know they must keep legislators informed. In most states, the legislature may have to take the lead in assuring that some kind of interim information sharing becomes institutionalized annually. The legislature also may have to make sure that administrators understand factors such as constituent pressures and time constraints on legislatures. Communicating reciprocal needs, however, has proved successful for those states establishing job training policies, especially when a comprehensive perspective to job training strategies is proposed.

III

The Legislature and SJTCC

Since the implementation of JTPA, the role of the State Job Training Coordinating Council has been a major interest of state legislators. This concern focuses on two areas: How should the legislature be represented on SJTCC, and what role should SJTCC and the legislature have in formulating state policy for job training?

What Is SJTCC?

One of the primary goals of JTPA is to coordinate efforts among the federal, state, and local levels of government. While the federal act and the Department of Labor establish overall policy objectives for JTPA and the local level provides services, states are responsible for managing the programs and for integrating them with related services.

One of the vehicles JTPA uses to achieve these goals is an advisory and review body called the State Job Training Coordinating Council.[5] To qualify for federal funding under the act, each state must appoint an SJTCC. The law specifically says that the state council "shall be appointed by the governor." Put in the context of state policies and practices, some councils may require legislative confirmation. The role of SJTCC is to "exist solely to plan, coordinate, and monitor" [Sec. 122(a)(6)] programs and services established under the act. The governor must approve the plans and decisions of the state council, which is, by statute, advisory.

As an advisory council, SJTCC can trace its heritage directly to the State Employment and Training Council set up under CETA as well as to the Manpower Development Demonstration and Training Act of the 1960s. In many states, SJTCC is viewed as having a function similar to its predecessor. This view is not necessarily correct. In addition, many administrators confuse JTPA with its predecessor, the Comprehensive Employment and Training Act. Although both laws are federal job training policy, they have entirely different legal structures. SJTCC also requires greater involvement by the private sector than its predecessor does. Moreover, due to the increased state role in JTPA, the council has the potential for a major impact on the state's human resource programs. So much, in fact, that two-thirds of the governors continue to take an active interest in SJTCC activities (see Table 7).

Membership

SJTCC membership is designed to generate both intra-agency and public-private cooperation. According to the general guidelines set forth under the law, a nongovernmental council member must act as chairperson. In addition:

- One-third of the membership on the council must come from business and industry; not less than one-fifth from local government; not less than one-fifth from labor and community-based organizations, among others; and
- Not less than one-fifth from "representatives of the state legislature and state agencies and organizations."

The average size of an SJTCC is 32 members. A recent study shows that this membership is quite different from that on the preceding CETA state councils, where employment and training administrators dominated local representation on the council.[6] Furthermore, the members of SJTCC are more prominent than their predecessors on the state employment and training councils—an important catalyst for launching their policy recommendations to the governor and others.

Table 7. Characteristics of a Typical State Council

- Governors with greatest interest in SJTCC are concerned with issues relevant to economic development or coordination of a state's employment and training programs.
- Three common legislative issues are worker displacement, services to target groups, and equitable distribution of JTPA resources to local political jurisdictions.
- Most states use standing committees to conduct the work of the council. The most common committees are:
  - Evaluation;
  - Coordination;
  - Policy;
  - Performance standards;
  - Statewide programs;
  - Operations;
  - Youth;
  - Displaced workers.
- Most councils meet bimonthly or quarterly.
- A typical council has 3.5 full-time staff positions.
- Business members account for the highest attendance at meetings of all groups represented on the council.
- Legislators are typically voting members of councils.

Source: Edward D. Dement, "The Roles, Responsibilities and Major Accomplishments of State Job Training Coordinating Councils under the Job Training Partnership Act of 1982," *Research Report Series* RR-85-11 (Washington, D.C.: National Commission for Employment Policy, 1985).

Responsibilities of the Council

While SJTCC is largely an advisory group, it can have considerable influence in developing state policy through the planning process and review and evaluation of state programs.

SJTCC is responsible for recommending to the governor a "coordination and special services plan" (CSSP). This two-year planning document establishes goals and objectives for job training and placement programs for JTPA participants. It makes recommendations for coordinating related policies, administrative oversight, and client-support activities and performance goals. SJTCC also advises the state on the use of the 22 percent discretionary monies in Title II-A, adult and youth training, as well as Title III, funding for dislocated workers. (See Chapter I for a discussion of these funds.)

SJTCC recommends the plan for dividing a state into service delivery areas. This extremely important process requires a knowledge of local labor market conditions, local political configurations, and the complex pattern of service delivery in related program areas such as welfare and the job service. All these factors are instrumental in developing program strategies and must be considered in establishing boundaries for SDAs. Should labor market conditions change or should an SDA fall below established performance standards, these lines may be redrawn after two years. As in all geographical decisions, this can be a very political process. Legislatures can, in fact, get involved if these boundaries need to be changed. To date, no legislature has formally challenged the SDA divisions formulated by the governor.

Finally, the council is responsible for recommending to the state legislature, among others, ways to improve job training and placement programs, and related state services (see sidebar).

The North Carolina Example

Several states have begun to develop more systematic approaches to the allocation of employment and training resources. In the 1985 session of the North Carolina General Assembly, the legislature passed the North Carolina Employment and Training Act, which was a first step in developing

> a comprehensive state policy to guide the use of employment, training, education and economic development funds, and other resources toward the achievement of state economic and employment goals [N.C. Statute Chapter 543, Sec. 2].

To assist the legislature in achieving this ambitious goal, the General Assembly went on to mandate:

> Sec. 188 (a). The Director of the Budget shall develop a comprehensive inventory of the State-administered employment and training programs.
>
> b) The inventory shall show:
>
> 1) Funding for these programs and source of funding;
> 2) Administering agencies;
> 3) Clientele served;
> 4) Types of training or services provided; and
> 5) The effect these programs have had on the employability of the State's population.
>
> c) The inventory shall be conducted in cooperation with the State Job Training Coordinating Council and shall identify:
>
> 1) Areas where overlap or duplication occurs;
> 2) Areas where different sources of funds are provided to an agency for employment and training of the same personnel;
> 3) Specific efforts to reduce double funding;
> 4) State agencies administering employment and training programs where actual training is contracted to others;
> 5) The amount of administrative funds being used by these subcontracting agencies; and
> 6) The amount of additional funds that could be used for direct services or training of the client population if the subcontracting agency is eliminated.
>
> This inventory shall be submitted to the Joint Legislative Commission on Governmental Operations and to the Fiscal Research Division no later than May 15, 1986.

Ideally, this inventory will provide the North Carolina General Assembly with a clear picture of current policies and ideas for implementing future strategies.

Evaluation and Review Functions

The act says that the state council shall "provide management guidance and review for all programs in the state" [Sec. 122(a)(8)(b)(2)]. The council is authorized to review and certify local plans, as well as plans submitted by the state employment services agency. It also assesses how well coordination is progressing between employment and training, vocational education, rehabilitation services, public assistance, economic development, and other programs.

The review and evaluation tasks of SJTCC vary from state to state much in the same way that these councils are taking different approaches in reviewing local SDA plans. For example, some SJTCCs (or in some cases, state agencies) require local SDAs to submit a plan agreeing only to follow state JTPA priorities, and their timetable for doing so. Other states require more comprehensive planning requirements.

Given the high priority that JTPA places on measurable outcomes, these review and evaluation functions are important and potentially powerful. For example, if an SDA fails to meet the performance criteria by the second year, Section 106(h)(1) allows the state to reorganize the delivery of services. This could include reorganizing the SDA after two years, restructuring the local private industry council, barring various service providers, or carrying out other changes as the state "deems necessary" to improve performance. From a state legislative perspective, this reorganization could mean a considerable difference in the amount of money flowing into a legislative district as well as changes in the way services are delivered to constituents.

How Are Legislators Participating in SJTCC?

State legislative participation in the activities of SJTCC has been increasing. Forty-seven states have from one to six legislators on their councils. In a few instances, legislative representation came about after a hard-fought political battle with the governor. In some states, the legislature has been divided on how involved it should be. In North Carolina, the governor claims the state's constitution does not allow him to appoint legislative members. Kentucky, where the governor waited two years before appointing a legislator to the council, had legislators or staff members sit in on council meetings. A committee of the Kentucky House of Representatives also has begun a review of local PIC plans. In four states (California, Louisiana, Massachusetts, and New York), the legislature confirms and or chooses the appointments of its members to the council.

To secure their relationship to SJTCC, several states introduced legislation that either reiterates aspects of the federal statute or adds new requirements. Although some of these bills were not enacted, they represent the range of concerns and issues that legislatures are raising about the councils. These bills fall into six categories and affect the staffing and administration of the council more than its planning function:

- Authorizing creation of SJTCC and authorizing staff for the council;
- Requiring SJTCC to submit all its reports to the legislature for review;
- Requiring SJTCC to submit a special report to the legislature on Title III for dislocated workers and special consultation with the legislature on the effectiveness of workforce preparation programs;
- Capping the number of members that can be appointed to the council;
- Specifying legislative participation on SJTCC; and
- Requiring the legislature to review the state plan.

While the federal law does not require SJTCC to submit copies of its proposed plans to the legislature, almost one-half of the state legislatures do receive these documents. These plans are distributed by different mechanisms:

- Legislative committees (Arkansas, Hawaii, Idaho, Illinois, Kansas, Kentucky, Maine, Maryland, Michigan, Nebraska, New York, Oklahoma, South Carolina, Tennessee, Texas, Wisconsin, and Wyoming);
- The senate president and the speaker of the house (Alabama, Florida, New Jersey, and Rhode Island);
- Each member of the legislature (Mississippi and Tennessee); and
- Legislative staff (California).

Does the Policymaking Role of SJTCC Coincide with Legislative Concerns?

SJTCCs have made important contributions to the development of JTPA employment and training policy in the states. But is the work of the council something legislators should participate in and monitor? The answer will vary according to legislature and level of issue (state or local) raised in council debate.[7] In a recent review, 32 states identified a wide array of problems and issues (see Table 8).

Table 8. Issues Raised by State Job Training Coordinating Committees

1) **Reach/Scope of Services:**
   - Providing adequate support services;
   - Transporting clients to training centers;
   - Serving welfare clients;
   - Setting performance standards;
   - Solving the "creaming" problem (i.e., serving the job ready applicants in order to meet the specified performance goals).
2) **Organization/Management:**
   - Designing an agency to administer JTPA programs;
   - Working the local private industry councils;
   - Allocating the 8 percent education monies.
3) **Budget/Accounting:**
   - Determining uses for the discretionary funds;
   - Securing enough funds for program purposes;
   - Insuring independent data collection;
   - Determining whether to carry over funds into the next program year.
4) **Jurisdiction:**
   - Defining service delivery area boundaries;
   - Resolving conflicts between urban and rural delivery areas;
   - Deciding whether state or local governments should have control over discretionary funds;
   - Deciding to coordinate with other agencies such as employment service, welfare, and vocational education.

Source: Diane Massell, "Legislative Participation on the State Job Training Coordinating Council," unpublished paper (Washington, D.C.: National Conference of State Legislatures, 1984).

State legislatures have addressed many of the same issues in governance, program and fiscal accountability, and coordination of services, as the councils have. During the 1983-84 session, legislatures initiated new state programs to meet hard-to-serve clients, youth, dislocated workers, and other special populations. Maryland, for example, enacted a $2 million training bill to provide support services for clients receiving classroom training. Other states introduced legislation to provide matching funds for JTPA, or to direct existing JTPA programs to meet certain goals and state needs. The Michigan Legislature enacted a provision for participation under JTPA. The state established criteria for participation by the economically disadvantaged and unemployed, and for selection of service providers. Alabama, Florida, Hawaii, and Mississippi addressed administrative concerns by reorganizing state agencies or by specifying an agency

to administer JTPA. California and Maryland passed legislation that uses SJTCC to help develop and coordinate their new state training programs.

There is a broad overlap, then, between the activities of legislatures and the work of the state councils. That is why legislative participation on the councils can be an important policy tool. In addition to making sure that information reaches the statehouse in an unbiased fashion, direct and ongoing participation provides legislators with a rare opportunity to incorporate their concerns into the policy process before remedial state legislation becomes necessary. SJTCC may prove a useful tool to complement legislative planning and oversight activity, and to insure that new state programs are coordinated with JTPA. Because the various partners in the employment and training delivery system and related service agencies sit on the council, it has great potential for building political coalitions and developing a concerted effort to develop an efficient employment and training system.

Table 9. Legislative Questions for Oversight of SJTCC

- How are legislators appointed to SJTCC?
- What committee structure does SJTCC use? Does this complement or parallel legislative committee structure?
- Are SJTCC meetings open and advertised in advance? (Is the legislature informed?)
- How does a state's conflict-of-interest law apply to membership on SJTCC?
- What role does SJTCC take in recommending the distribution of funds not subject to the JTPA formula?
- Has SJTCC begun integrating information on economic, industry, and local market conditions in the state?
- How are the various SJTCC reports, studies, and recommendations reviewed by the legislature?
- Are these recommendations useful for reforming or revising state statutes in human resource policy?

Source: National Conference of State Legislatures, 1986.

IV

Using JTPA to Coordinate Opportunities for Employment

Introduction

Some job training policies have succeeded in diminishing welfare rolls, reducing school dropout rates, and combating youth unemployment. These policies have had one common element: *a strong focus on the systematic delivery of services.* They have overcome the tendency to use new public dollars to create special employment preparation programs for easily identifiable populations — dislocated workers, teenage parents, or the handicapped. These same policies also are helping states develop a more skilled and educated workforce to confront rapidly changing technology and the increasingly competitive international marketplace.

An example of this new interest in aligned services is found in the purpose attached to Minnesota's Omnibus Jobs Act passed in 1985:

> The legislature finds that, to maximize productivity of human resources and economic opportunity within the state of Minnesota, it is necessary to streamline and coordinate the state's employment, training, and income maintenance programs and to set new priorities so that state government might better achieve its goal of helping its citizens realize the dignity of a paycheck and achieve economic independence. Further, the legislature finds it necessary to act swiftly and decisively to achieve the dual goal of lowering the unemployment rate among the people of this state and decreasing the income maintenance caseload that is at once a reflection of the difficulties challenging some and a burden that must be borne by all.

What State Legislators Can Do

In the last few years, state legislatures have come under increasing pressure to make resources available for education, welfare, and job training programs—all of which affect employment policy. This need has been escalated by the fiscal constraints brought on by the recent recession and the shift of responsibility for social programs from the federal government to the states. The fiscal overload is beginning to raise serious questions about the role state government should play in the human resource side of employment policy. This situation also is making states consider options to coordinate their policies more effectively. One option is to develop a more systematic delivery of services.

Because state legislators have authority over how dollars are spent, they are in a crucial role for developing more effective, efficient human resource programs that affect the employability of their state's citizens. By raising questions about how resources are allocated to meet the need for services, legislators can change policy.

This chapter raises a series of questions about how core policies can be delivered more systematically to meet a variety of employment training needs.

This chapter focuses on five central issues:

- Who should be served?
- How will training and skills be provided?
- What kinds of support services (stipends, childcare, and the like) are needed for successful completion of a program?
- How are those trained placed in jobs?
- What is the role of the state in job creation?

For many states, JTPA is a key policy state legislatures use to bring some order and strategy to the many available resources that can help prepare people for employment.

Who Should Be Served?

A major issue in determining a state strategy for JTPA is deciding who will be eligible for the program and how that eligibility will be coordinated with other policies that ultimately lead to employment. For most states, these strategies will differ depending on whether the program is for the economically disadvantaged (JTPA, Title II-A) or the dislocated worker (JTPA, Title III).

Economically Disadvantaged

The term *economically disadvantaged* covers a variety of needs for employment training. One state identified 11 possible target groups (see Table 10). In fact, for all states, JTPA funding can be stretched to cover only a small percentage of the eligible population. One problem facing states is to determine how and on whom JTPA funds are to be spent. This problem is complicated by the fact that the federal law limits the state's authority in this matter by observing that nothing shall "affect local discretion concerning the selection of eligible participants or service providers" [Sec. 121(a)(1)].

A variety of mechanisms permit states to persuade PICs to serve specific populations by using the state council, governor's plan, or purpose of state enabling legislation to:[8]

- Establish priority groups for service;
- Require proportional service to a percentage of the eligible population;
- Hold set-asides for education and older workers on the state level. Fund specific projects as an incentive to PICs to serve target groups;
- Tie in performance standards and 6 percent incentive/sanction grants to target populations.

While these points are all in operation in some form, largely by executive order, the Department of Labor has not audited enough programs to determine if these attempts at state targeting are in compliance with the law.

Another mechanism is to align related state policy—education, welfare, unemployment insurance—eligibility requirements so as to provide PICs with incentives for serving target groups. This approach is especially useful where related policies can provide JTPA matching funds or support services and administrative costs to supplement the JTPA-imposed operating limits. State legislators generally control a larger pool of JTPA-related services or employment preparation services than what a state's JTPA allotment provides. *In fact, coordinating JTPA-related policies can allow state legislatures to have a major impact on JTPA program operation.*

Table 10. Economically Disadvantaged Conditions Identified by One State in JTPA, Title II-A Eligibility

- At-risk youths (dropouts and potential dropouts);
- Women and minorities;
- Public assistance recipients;
- Teenage mothers;
- Older workers;
- Displaced homemakers;
- Single heads of households;
- Offenders and ex-offenders;
- Refugees;
- Dislocated workers;
- Others.

Source: Robert F. Cook et al. *State Level Implementation of the Job Training Partnership Act* (Rockville, Md.: Westat, Inc., May 1984), 3-23.

Dislocated Workers

It is much easier to target dislocated worker programs since states receive Title III dollars. The federal law broadly defines a dislocated worker as an individual who can meet one of three conditions (see Table 11). States can adapt this definition to their needs. In Wisconsin, the state legislative auditor examined the governor's Title III program and argued for a greater legislative role in distributing funds for dislocated workers. The auditor also recommended that the Legislature statutorily define a dislocated worker program, which was done by using the administrative rules review process. In Iowa, the General Assembly passed legislation expanding the federal definition of a dislocated worker to include displaced homemakers.

A displaced homemaker is:

> an individual who has worked in the home providing unpaid services to family members, who is experiencing, or is expected to experience, difficulty in obtaining full employment or who is or has been dependent on public assistance on behalf of dependent children in the home.

Iowa's definition of *displaced homemaker* fits the federal requirement of one's having had previous job benefits.

Table 11. Defining a Dislocated Worker

JTPA defines a dislocated worker in Section 302 as an individual who has been:

- terminated or laid off or has received a notice of termination or lay-off from employment, is eligible for or has exhausted entitlement to unemployment compensation, and is likely to return to the previous industry or occupation;
- terminated or has received a notice of termination of employment, as a result of any permanent closure of a plant or facility; or
- long-term employed with limited opportunities for employment or reemployment in the same or a similar occupation in the area in which such individuals reside, including any other individuals who may have substantial barriers to employment by reasons of age.

Source: U.S. Congress, P.L. 97-300, Job Training Partnership Act, Section 302.

48

Note that the process of expanding the eligibility group can diffuse the effect of the limited amount of money for the program.

States can use several other means to target JTPA dollars for dislocated workers:

- Target special industries, occupations, or geographical areas through state eligibility requirements;
- Fund programs on a project basis related to state-level targeting;
- Use unemployment insurance compensation dollars as the state match for Title III dollars.

Finally, a legislator interested in dislocated workers within his district should encourage the governor to apply for the U.S. secretary of labor's discretionary funds to put a program in his district.

How Are Training and Skills Provided?

States have a variety of organizations, both public and private, capable of conducting job training programs. The most obvious is the public school system—especially secondary and postsecondary vocational education programs. JTPA uses a different strategy than the education system in teaching skills for employment. The JTPA strategy focuses on performance-based contracting.

Role of Performance-Based Contracting

Under JTPA, the state or PIC, depending on which one is the administrator of the monies, selects an education agency or training institution by use of a fixed-price or cost-reimbursement contract. The contract specifies results according to performance standards and against which contractor performance can be evaluated. Performance-based contracts are usually tied to the ability to place individuals in jobs.

The California Legislature specified the administrative arrangements for performance-based contracting in state law:

- For education services, full payment would not be earned until the recipient successfully completes the education program;
- For job training, full payment would not be earned until the participant is retained on an unsubsidized job for 180 days. (Thirty percent is withheld pending completion of the 180-day employment period);
- Providers of training can receive partial payment for services to participants who fail to complete programs.

The process of developing performance-based contracting is a common stumbling block between PICs and local education agencies or community colleges. For many public educators, the emphasis on outcome for program participation represents a challenge to their normal pattern of operation, especially when teaching economically disadvantaged individuals. Furthermore, the level of funding under JTPA is often too small to seem worth the effort of contract negotiation.

Legislators, however, can use performance-based contracting in their districts and even states as a crude yardstick to judge whether the public education system meets the education and training needs of the JTPA-eligible populations.

Type of Training

In theory, the type of training institutions chosen should match JTPA program enrollees' needs for education and training. (Although the law does not require this, good human resource planning suggests that this strategy should appear in the PIC plans). Table 12 lists the most common types of training used in the first full year of operation of JTPA. Those people most in need usually enroll in classroom programs to receive basic as well as vocational skills. Those able to enter the labor market usually are trained on the job or are given job-search assistance.

Uniform Credentials Across Programs

State policymakers are concerned about the quality of JTPA-funded training programs and how that training relates to that conducted with public education monies. This will be an issue especially when the emphasis is on short-term over long-term training, particularly where both programs prepare individuals for the same jobs. In some states, legislatures have ameliorated differences between programs, such as apprenticeship versus cooperative vocational education, that compete for the same jobs as those for JTPA trainees.

Table 12. Program Enrollment in JTPA, Title II-A for Program Year 1984

Type of Training	Percentage of Enrollees
Classroom	38%
On-the-job	22
Job-search assistance	21
Work experience	8
Other services	10
	100%*

*Percentages are rounded off to the next highest number.

Source: Employment and Training Administration, U.S. Department of Labor, "Summary of Job Training Longitudinal Survey Data for JTPA Title II-A Enrollments and Terminations During Program Year 1984."

Coordination with Public Education

The extent to which the JTPA system uses public education institutions raises questions concerning how well both are being used.

A recent survey shows that the public secondary and postsecondary education systems may be the primary recipients of JTPA training dollars.[9] There are several reasons for this choice. The public education system is a major provider of vocational skills. Since many JTPA participants need basic skills instruction, the public school system is a logical recipient of these funds.

In some service delivery areas, community colleges have been designated by the PIC as the JTPA administrative entity and grant recipient.

The law recognizes and mandates a major role for the public education system:

> Appropriate education agencies in the service delivery area shall be provided the opportunity to provide education services, unless the administrative entity demonstrates that alternative agencies or organizations would be more effective or would have greater potential to enhance the participant's continued occupational and career growth [Sec. 107(c)].

Private training institutions and community-based organizations (CBOs) are also eligible for JTPA training funds. For example, the Michigan Legislature passed a law to promote the delivery of services by CBOs under the act.

Identifying the resources being used for training can be difficult since they are commingled with education programs. In Minnesota, for example, the governor's office has identified over 40 state and federal education programs that can be combined with JTPA funds for a variety of purposes and for a broad range of eligible participants.

The act gives few clues about how to bring state education and job training policies into agreement. To date, few states have provided technical assistance on this issue.[10] Few, if any, states have set up the necessary information and accounting systems to assess the impact of the targeted JTPA dollars on trainees or the public education system.

Legislators should be prepared for inquiries from a variety of education organizations seeking JTPA funding since there probably will be local competitive bidding for these dollars.

Vocational Education Coordination

Vocational education programs and policies are an obvious point for coordination with JTPA programs and policies. In the Carl D. Perkins Vocational Education Act, Congress attempted to promote this coordination by a series of requirements to have SJTCC and the federally funded state advisory council for vocational education jointly comment on each other's plans as well as on provisions for joint membership among groups. The Perkins Act also amended the regulations to JTPA to encourage performance contracting for youth programs by vocational education institutions.

These efforts are largely symbolic since most funding for vocational education is still a state and local effort. Several states — Illinois, Kentucky, and North Carolina, for example — have begun legislative studies to examine how these two related policies can be coordinated to operate more effectively.

Using the 8 Percent Monies

Legislatures can use the 8 percent set-aside monies in Title II-A to coordinate state education and job training policies. These monies have a variety of uses:

- Twenty percent are to be spent on technical assistance, professional development, and other activities to foster coordination between the state education and job training system;
- Eighty percent are to be spent on cooperative agreements between the state education agency selected to administer the funds and SDAs. (An equal match is required of non-JTPA resources for every JTPA dollar.)

These funds are relatively free from other spending requirements under JTPA. Performance standards are not applied to their use. Twenty-five percent of those receiving services need not be economically disadvantaged. The match requirements are liberal, using in-kind services and other federal funds if permitted under the statute governing the funds, and are more a mechanism for insuring coordination than for raising money.[11]

States can use a variety of strategies to distribute these funds by either specifying priorities through an RFP (request for proposal) process or distributing the money by formula to SDAs. In California, the Legislature specified that the state superintendent of public instruction use these funds for the training and education of AFDC recipients. In Wisconsin, the Legislature mandated that at least 50 percent of these monies be spent on dropouts or potential dropouts.

Summer Youth Monies

Title II-B of JTPA contains monies to provide for summer youth programs. These funds are distributed to the states by formula and then to SDAs, where they are administered. They are for a variety of programs for economically disadvantaged youth and can be used for 14- and 15-year-olds who have certain needs. Table 13 lists the broad range of activities that the summer program monies can fund. These uses have many relationships to the public education system. In Texas, the summer youth monies are used to combine university- or college-based education and work experience with support services in an eight-week dropout prevention effort for economically disadvantaged 14- and 15-year-olds.

Table 13. Uses of JTPA Summer Youth Monies

- Basic and remedial education;
- Institutional training;
- On-the-job training;
- Work experience programs;
- Employment counseling;
- Occupational training preparation for work;
- Outreach and enrollment activities;
- Employability assessment;
- Job referral and placement;
- Job reach and job club activities;
- Any other activity designed to employ eligible individuals or prepare them for, and place them in, jobs;
- Support services necessary to enable individuals to participate in the program.

Source: JTPA, Title II-B, Section 252.

Other State Training and Education Programs

Another strategy is to create a series of programs to complement JTPA activities. State administrators often create special programs such as customized job training with monies available from federal or state vocational education dollars.

Other programs are established through a variety of laws or legal authority. Recently, programs such as Illinois' Prairie State 2000 Fund, Iowa's New Industrial Jobs Training Act, Kentucky's Bluegrass State Skills Corporation, and Massachusetts' Bay State Skills Corporation have been developed to provide monies for training in both public and private state institutions. Both Minnesota and Washington have similar programs in law. It is not uncommon to find these programs containing tax incentives for training. The use of tax incentives represents a de facto training policy for a state. Legislators may want to ask their state job training coordinating councils to prepare a list of such programs.

What Support Services Are Needed to Successfully Complete a Program?

A key measure in creating a systematic state human resource policy is the extent to which JTPA programs are coordinated with a variety of income-maintenance and other support services, such as transportation and childcare, to keep participants in training programs. Legislators, with their ability to change state law and regulation, are key actors in coordinating these programs. As a rule of thumb, *the more a training program is targeted to serve the economically disadvantaged, the greater the need for support services.*

JTPA allows up to 15 percent of an SDA's Title II-A training dollars for support services. A recent study by the U.S. General Accounting Office has indicated, however, that many SDAs are spending less than the minimum level allowed.[12] The most common support services are transportation and childcare. Some SDAs are using the money for needs-based payments.

Another common strategy is to provide other state and local agencies assistance directly or through agreements at no cost.[51] Two of the most common areas for such coordination are state welfare AFDC programs and the state's unemployment insurance compensation system.

State Welfare Policy

The Job Training Partnership Act clearly requires a state to coordinate job training and welfare policy. One evaluation criterion is the performance standard that shows a measured reduction in welfare dependency for program participants [Sec. 106(a)(2)]. Section 502 of JTPA also requires work incentive (WIN) programs to coordinate their activities with a state's JTPA activities.

Welfare policy, as with all income-support programs, is a complex array of federal and state laws and regulations. Although a variety of general relief and refugee assistance programs in operation are state-specific, Table 14 lists four federal programs and summarizes the basic characteristics of the programs as they are available to states.

While there has been a great deal of activity to coordinate state welfare and job training policies, this has happened with little involvement by the legislatures. A 1984 NCSL survey shows that only six states had any legislative activity to coordinate these two policies. The low number suggests that legislative oversight in this area is lagging. (In some states, however, legal changes may not be needed.) Many states are looking at 1987 as a key year for welfare reform in their legislatures.

Grant diversion is one of the more creative examples of training and welfare coordination. This process diverts the individual's AFDC payment and provides a JTPA-based stipend to a private employer who hires the JTPA-eligible individual for an on-the-job training program. The Florida Legislature amended state laws to allow such diversion by establishing the Public Assistance Productivity Act. Florida's program, called "Trade" (Trade Welfare for Work), also includes state and federal employment tax credits. The program thus encourages private employers to hire AFDC recipients by combining existing resources and offering financial incentives for employing individuals commonly overlooked.

Table 14. Summary of JTPA-Related Federal Welfare Programs

Functions and Programs	Service	Eligibility	Governance	Factors to Consider
Food Stamps	• Monthly food stamp allotment (varies by household size, income, and sometimes, geographic location)	• Low-income households that meet federal standards	• Administered by the federal government	• Work requirements are increasing
		• Certain work requirements must be met by most adults	• State and local welfare offices determine eligibility and issue benefits	• Separate screening and assessment process
Work Incentive Program	• Skills training and job placement; other support services such as transportation	• Recipients of Aid to Families with Dependent Children	• Administered jointly by state welfare and employment service	• Few recipients served because of limited funds
				• Targeting of occupations and training investment are important
				• Separate screening and employability assessment process
Aid to Families with Dependent Children	• Financial assistance (benefits vary by state)	• Low-income families (defined by the state) with children under 16 or 18 years of age	• Administered by state welfare agency or human service agency	• Work requirements are increasing and are not necessarily related to skills development
	• Most recipients are required to register for the Work Incentive Program	• Low-income families with unemployed parent (state option)	• In some states, counties share in administration locally	• Targeting of growth occupations and training investments to attract and enable recipients to commit training and job placement

Table 14. (Continued)

Functions and Programs	Service	Eligibility	Governance	Factors to Consider
Aid to Families with Dependent Children				• Depending on eligibility criteria, support service resources may augment those available under JTPA
Supplemental Security Income	• Financial assistance (uniform federal benefits that states may supplement)	• Low-income elderly, disabled, and the blind	• States can elect: —Full federal administration of basic benefits, and state administration of state supplements —Full state administration	• Recipients automatically referred to vocational rehabilitation for assessment • Separate screening and employability assessment process

Source: Adapted from *States' Job Training Coordinating Council Handbook on Implementing the Job Training Partnership Act* (Washington, D.C.: National Governors' Association, April 1983), pp. 15-17.

Maryland not only has adopted AFDC grant diversion programs but also has established a modified form of WIN called the Employment Initiatives Program. This differs from WIN not only in the mix of employment development services provided, job search and work experience, but also in provision of more state resources. Through extensive evaluation, Maryland has found the program successful. The legislature recently created the Office of Welfare Employment Policy to further this type of program.

Experiencing continued rates of high unemployment, Oregon has taken a different approach. Since monies to supplement federal support programs are difficult to find, a special committee of the legislature did an extensive oversight of current job training and welfare programs instead of developing new ones.[14] The committee came up with three major suggestions that can apply to oversight in other states. First, it drafted a bill to require the state's Adult Family Services Division to provide childcare to AFDC clients enrolled in JTPA training, as well as all other JTPA trainees once JTPA support service funds become unavailable. Second, it drafted a bill to stop the state welfare assistance agency from restricting the availability of training for AFDC recipients by requiring that they conduct six months of work search before enrolling in JTPA training programs. Third, it noted the need for a thorough analysis of state welfare job search and training rules. These bills, however, failed to pass.

Involvement in coordinating welfare and training policies can have political liabilities. First, the agencies coordinating these programs may not cooperate. Another political problem is that many advocates of welfare policy see income-support programs as an entitlement. Coordination with training, especially by diverting the funds for OJT, is seen as an infringement on an individual's rights.

Other states, Massachusetts and Pennsylvania, for example, have adopted extensive training programs for welfare recipients. The Massachusetts program, called Choices, has successfully placed several thousand welfare recipients in jobs. Program figures from 1984 show that the average individual income from a Choices job was $19,700 compared with the average individual AFDC grant of $4,300. Moreover, 77 percent of the placements are women. (Eighteen percent are women with children under age six.)

More recently, in the 1985 legislative session, California and Minnesota have passed extensive welfare and training reform packages. The Minnesota law, Omnibus Jobs Act, collapses a variety of state and federal training programs under the same umbrella agency. The California law, Greater Avenues to Independence, requires JTPA funds to be used to serve AFDC recipients and make training a mandatory requirement. As of this writing, both laws are so new that the regulations have not been finalized. It appears, however, that given escalating welfare costs and the limited funds available to states, the California and Minnesota programs are the vanguard of future state policies.

Unemployment Compensation

The unemployment system can be a major source of income for participants in training programs. Created by the Social Security Act of 1935, this program is financed by employer contributions. The recent recession put a heavy demand on the system, creating a shortfall of funds in many states. The issue of benefit standards is well known to state legislators familiar with union and business lobbying on this issue.

Unemployment insurance (UI) recipients enrolled in Title II-A programs must receive a waiver from the state's work test in order to participate in JTPA-funded programs. In some states, where the waiver is often a hard-fought legislative battle, program administrators may attempt to delay the waiver or not notify participants of their eligibility for JTPA programs.

In Title III programs, the federal JTPA law presents a blanket waiver of the work test. For a variety of administrative reasons, a form of program creaming may result. Since UI monies can be used as a form of in-kind match, UI recipients may appear more attractive to employers than the more seriously unemployed who have exhausted their benefits.[15]

Two questions can guide legislators interested in coordinating their state's JTPA and unemployment compensation policies. First, what is the state's unemployment rate? The higher the rate, the more likely recipients will exhaust their benefits before finding employment. It may make sense to enroll the jobless in retraining programs during this period. Second, since by federal law states must permit recipients to participate in training programs, how many actually are doing so? Answering this question will allow the legislature to evaluate to what extent the state administration is encouraging or discouraging UI participants to enter training programs.

Other State-Funded Support for Program Participation

Another approach the legislature may use is simply to appropriate funds for support services. Maryland appropriated $2 million for support services but capped the weekly training allowance an individual can receive to no more than $100. In an effort to target parents, especially women, the California Legislature set aside $6 million of the state's social service block grant to match dollar for dollar the amount PICs spend on childcare under Title II-A.

How Are Trainees Placed in Jobs?

Labor exchange is matching individuals seeking employment to job openings. Most activity in labor exchange takes place without government participation. Particularly hard-to-place individuals (chronically unemployed or economically disadvantaged) may require some government assistance. Traditionally, labor exchange has involved two areas of policy: the adequacy of labor market information (LMI) systems and the success of government agencies — in particular the state employment security commission or employment service — to perform labor exchange. More recently, state vocational education laws are focusing on this process as an indicator of program success.

What Is Labor Market Information?

Labor market information deals with supply and demand issues for occupations. Good LMI data not only identify geographical and occupational areas of growth and decline, but also assess the impact of occupations on individuals, industries, and communities. LMI data are needed not only for employment and training but also for other areas of policy such as education, in particular vocational education. A good state LMI system allows the interchange of information on occupational preparation and growth among agencies as well as among national and regional data sources. Accomplishing this interchange requires coordination among a variety of state agencies, which is often difficult. A recent review of state policies suggests six ways to achieve this outcome:[16]

- Establishing common planning and service boundaries;
- Creating common advisory or policy structures;
- Making organizational mechanisms for joint planning and conflict resolution;
- Establishing set-asides for joint projects;
- Providing cost-sharing arrangements; and
- Colocating staff within common offices or service locations.

This coordination does not need legislative intervention to occur. In Illinois, for example, the governor's office of planning established major objectives for LMI:

- Analyze, improve, and expand collection methodologies; and
- Promote standardization of classification and consistency of LMI systems.

Many state executive branches have similar plans in effect. In other states, legislatures may find that the need for good LMI systems is secondary to an agency administrator's desire not to coordinate programs. Appendix B lists 14 questions legislators can ask their program administrators to deal with LMI issues in their state.

Funded jointly by federal vocational education and JTPA monies, the State Occupational Information Coordinating Council (SOICC) is another resource available to states. SOICC is responsible for coordinating data on job availability and placement. Putting this mandate into effect, however, may require legislative action to cut through definitional differences and other administrative issues among state agencies.

Performing Labor Exchange

Many state agencies such as vocational rehabilitation, secondary and postsecondary education, and corrections are responsible for labor exchange. Under the JTPA system, for dislocated workers or the unemployed in general, the key agency is the state employment service (ES). In most states, ES also is responsible for administering the work test for unemployment insurance programs. Often, ES also has the authority to contract with SDAs and other state agencies, such as welfare, to provide services.

More than 50 years ago, the federal Wagner-Peyser Act established the employment service function. Legislators should be particularly attentive to Section 4:

> In order to obtain the benefits of appropriations apportioned under Section 5 [of this Act], a state shall, through its legislature, accept the provisions of the Act and designate or authorize the creation of a state agency vested with all powers necessary to cooperate with the United States Employment Service under this Act.

This section specifically gives legislators the authority to decide in which state agency the employment service function should be housed as well as to have the option of contracting this function to a third party. A state legislature can play a major role in allocating ES resources.[17]

The Job Training Partnership Act also produced the first major amendments in the 50-year history of the Wagner-Peyser Act by mandating a coordinated planning process between ES and the state's JTPA plan. Most states are organizing the plans on an SDA basis, which should facilitate the pooling of some resources. Another change in the Wagner-Peyser Act gave discretionary monies to the governor to provide incentives for coordinating job training and job placement activities more closely. The legislature may want to find out how these funds (often referred to by state ES administrators as 10 percent monies) are being used in the state.

Job placement can be done with other state resources, particularly a state's investment in vocational education programs. Some states are using job placement as a criterion for evaluating vocational education program performance. Florida has established a new vocational education law with funding tied to program completion and placement. This law is controversial and may be subject to revision in future sessions of the Legislature.[18]

What Is the State's Role in Job Creation?

Every state has established policies that affect the climate for employment within its borders. The policies can range from tax structure for businesses to workforce preparation. The creation of these policies often is politically charged, especially when subsidies to individuals are involved.

JTPA does not go as far as its predecessor, CETA, in directly funding employment opportunities. In fact, JTPA specifically limits this activity. JTPA, however, does permit its funds to be used for employment-generating activity:

- Public relations, promotion, and marketing of job training participants and services to employers;
- Labor market surveys;
- Coordination of job training with economic development;
- Providing employers with information about programs; and
- Offering innovative activities that increase job opportunities for clients.[19]

States have been involved in a variety of other activities to protect or provide employment opportunities for individuals:

- *Public service employment.* In Vermont, the General Assembly approved $5.3 million in bonds targeted for areas with unemployment above 6 percent for more than six months. The money will be used to create jobs to improve the state's capital assets (for example, parks).
- *Worksharing.* At least six states (Arizona, California, Florida, Maryland, Oregon, and Washington) permit partial unemployment compensation to be paid to employees who have suffered cutbacks in their work week.
- *Employee ownership.* This involves framing business policy to assist employees in buying companies or factories about to be closed. At least seven states (California, Delaware, Michigan, New Jersey, Ohio, Pennsylvania, and West Virginia) have begun this process.

- *Plant-closing legislation.* The right of employees to know about employer decisions to close factories or plants is a controversial policy. Maryland has passed a law that sets up voluntary guidelines and includes the establishment of a rapid-response team for on-site UI registration, job placement services, and the dissemination of labor market and retraining information. Massachusetts passed a similar law guaranteeing that workers who have lost their jobs will have their health insurance continued for up to 13 weeks. Connecticut, which has passed the most comprehensive state plant-closing legislation to date, requires companies of 100 or more workers to provide health insurance for 90 days after closing or relocating out of state. Wisconsin, however, requires an employer with 100 or more workers to give 60 days notice before a closing, relocation, or merger affecting 10 or more employees. The 1985 legislative session saw plant-closing legislation pending in five states, dead in five states where it was introduced, and a governor's veto of legislation in at least one state.

V

Is State Legislation Needed?

The Job Training Partnership Act does not *require* state legislative involvement. State policies and practices, however, may demand some legislative action. In Alaska, Florida, and Hawaii, the governor was required to seek legislative approval to reorganize executive branch agencies to administer the program. In other states, the legislature permits the governor to allow state monies to be used to match federal funds where required, although in Mississippi, for example, the Legislature has encouraged the use of in-kind contributions. As JTPA programs become institutionalized in state policy and practice, legislators should expect the executive branch to ask for additional revenues. In other states, legislatures may want to take the lead in appropriating additional monies for JTPA.

NCSL has collected information showing that 22 states (see Table 15) have taken some statutory action on JTPA programs. This number does not include states where the legislature was involved in appropriating JTPA monies — a potentially more influential activity than statutory action.

Enabling Legislation for JTPA

At least nine states have passed comprehensive enabling legislation for JTPA (see Table 15). State law does not always require enabling legislation for federal programs. It can be formulated, however, for many reasons. Traditionally, a state may write statutory language for federal programs. In some states with pressing unemployment problems, the legislature may think it important to go on record supporting job training policies. In this case, enabling legislation is largely symbolic. In other states, the legislature may want to clarify its role vis-a-vis the executive branch by specifying oversight policy. Enabling legislation does not require an appropriation of state funds. The reverse is more likely. Enabling legislation can protect the legislature from liability for misuse of federal dollars.

State enabling legislation for the Job Training Partnership Act contains at least nine points:

- Statement of purpose specifying the goals of JTPA in the state;
- Specification of state administrative authority for program operation;
- Legislative representation on SJTCC;
- Legislative procedures for review of state coordination and PIC plans;
- Clarification of conflict of interest for SJTCC and PIC members;
- Legislative use of SJTCC for policy recommendations (for example, coordination of resources, relation of training to vocational education system, state employment and training needs);
- Specification in law of the "openness" and methods of appeal of issues in state and local plans;
- Guarantees of legislative access to information on the operation of the program;
- Additional language or program evaluation; definition of key program language, and other topics the legislature finds necessary.

A key feature of enabling legislation is to institutionalize into state policy and practice the goals and resources of the Job Training Partnership Act.

Other State Employment and Training Laws

The Job Training Partnership Act is not the only employment and training activity in operation in the states. At the end of the 1984 legislative session, NCSL identified 12 states with statutory language on employment and training policy. None of these states (Alaska, Delaware, Kentucky, Massachusetts, New Jersey, New Mexico, Ohio, Pennsylvania, Tennessee, Vermont, Washington, and Wyoming) has statutory language on JTPA. Where active programs exist, they operate with state revenues. Other states (California, Illinois, Iowa, Maine, Maryland, Michigan, Minnesota, and New York) with JTPA statutes in effect also make a significant investment in employment and training activities. All this activity is separate from the approximately $9 billion state and local investment in vocational education administered by state education agencies.

State employment and training policies fall into five general areas:

1) State Youth Conservation/Service Corps Programs

The most popular state employment and training programs to date have been those modeled after the Job Corps, Title IV of JTPA, and the 1930s federal Civilian Conservation Corps (see Table 16). These programs are typically annual and residential. Participation is targeted to economically disadvantaged youth or young adults. The program can be expensive, but cost benefit studies show that participation expenses offset other outlays over time.

2) Economic Development Programs

State legislative packages to promote economic development often contain funds for training or retraining programs. New Mexico established the Industrial Training Board to monitor these programs. New Jersey established a program separate from JTPA and administered by the state's Department of Labor. The New Jersey program is coordinated through the state's SJTCC. It limits administrative costs to 6 percent. Of the funds appropriated, 94 percent must be used for training. One of the key features of the New Jersey program is the variety of activities it funds (see Table 17).

These special programs do not always use the same administrative agency as JTPA does. Iowa, for example, created the New Industrial Jobs Training Act, which is administered through the community college system.

Training programs tied to economic development often customize training for industries willing to relocate in a state. Sometimes tax incentives for relocation are tied to these programs.

Table 15. State Activity in Job Training

	Statutory Action on JTPA	Enabling Legislation for JTPA
Alabama	X	
California	X	X
Connecticut	X	
Florida	X	
Hawaii	X	
Illinois	X	X
Indiana	X	
Iowa	X	X
Louisiana	X	
Maine	X	X
Maryland	X	X
Michigan	X	
Minnesota	X	X
Mississippi	X	
New Hampshire	X	
Nebraska	X	X
New York	X	X
North Carolina	X	
Oregon	X	
South Carolina	X	
Texas	X	X
Wisconsin	X	

Table 16. States with Youth Corps Programs

Alaska	Maryland	Pennsylvania
California	Michigan	Texas
Connecticut	Minnesota	Washington
Iowa	New Jersey	Wisconsin
Maine	Ohio	

Table 17. Program Activity Funded by the New Jersey Employment and Training Program

Apprenticeship
On-the-job training (OJT)
Combination of OJT and classroom training
Program outreach
Counseling, orientation, and assessment
Job search
Classroom training
Career upgrading
Customized training
Job retention training
Support services — childcare, transportation, health care, family counseling, housing assistance, and financial management
Posttermination services

3) State Skills Corporations

In 1981, Massachusetts was the first state to create a skills corporation. Since then, Kentucky, Minnesota, Pennsylvania, and Washington have followed suit. Skills corporations are quasi-public and award grants to educational institutions to train employees for private companies. The companies contribute or match state dollars for training their future workers. Skills corporations do not limit their training to economically disadvantaged individuals.

A primary characteristic of the organizations is their board of directors, usually prestigious gubernatorial appointments. These boards can create a broad constituency for the corporations. The corporations often run seminars, conferences, or conduct studies to promote a state's development of its training resources.

4) State Retraining Funds

California, Delaware, and Illinois have created separate funds — independent of both vocational education and JTPA monies — to promote retraining. These programs target dislocated workers.

The best known of these programs is California's Employment and Training Fund, which transferred more than $50 million from the state's unemployment system for training or retraining. The state did this by reducing its employers' unemployment insurance compensation tax and then created a new training tax to form the fund. A unique feature of the fund is its attempt at preventive intervention: i.e., identification of workers likely to be laid off or unemployed.

Through its board of directors, the panel acts as an economic development tool to bring new industries into the state. The panel also holds seminars and conferences similar to those run by skills corporations.

The Illinois legislature has appropriated seed monies to establish the Prairie State 2000 Fund, an innovative approach to retraining. The fund is based on employer-paid contributions similar to the state-operated unemployment system. The fund provides qualified workers with a voucher to be used in state educational institutions for training or retraining. Administrative arrangements for the fund are still in the planning stages. If successful, the Illinois model could become a popular program nationwide.

5) Coordinating State Policies

A major part of state legislative activity in employment and training policy has been to coordinate programs to fit JTPA. Grant diversion programs in welfare, customized job training in vocational education, fostering apprenticeship programs, mandating UI recipient participation in JTPA programs, and better aligning a state's labor market information system can significantly affect the quality of a state's workforce.

How to Develop a State Strategy for Job Training

Creating a specific strategy to fit program resources to a particular group in need of training is not easy. It requires developing strategies to fit similar program resources for differing needs. Analyses of the programs described in this guide show that legislators often make six considerations before a legislative proposal is forthcoming.

- What resources can be allocated? (Are new or additional appropriations warranted? Are there any unintended consequences of a resource shift?)
- Is the impact of the proposed shift measurable? (Are evaluation criteria built into the proposal?)
- To what extent does the strategy require a new law? Can it be accomplished by regulatory change or merely by holding hearings?
- Is the proposal politically feasible?
- Does the proposal adequately reflect local labor market conditions?
- Will the proposed strategy make a significant difference?

All these questions are closely related. Once again, the first step is finding some way to keep informed.

The First Step: Gathering Information

Determining the need for job training and the various opinions of what services can be delivered is the first step in developing a strategy. Legislatures, therefore, must keep channels open to receive information from all parties involved. Holding hearings is a commonly used method for gathering information. There are many groups — from business, unions, and education — whose support is necessary to develop a job training system. When hearings are infeasible, some other method to stay informed must be found. (A simple, effective way is to be on the mailing lists of various special interest groups that lobby for job training resources.) In fact, a good litmus test of whether all channels are open is if some form of "checks and balances" on various policy options or alternative strategies emerges from the information being collected. For example, several organizations may provide basic skills training. These same organizations probably will present a variety of arguments about why their group should offer the training. Differences of opinion and problems of consensus will likely occur not in determining need, but in allocating resources to meet that need.

Determining the Resource Base

Assessing the current investment of resources is another dimension of creating a policy strategy. Agencies, such as welfare, education, or employment service, provide services to a broad range of clients. Legislators most often are interested in creating a program for specific populations — displaced homemakers, unemployed workers, youth-at-risk, for example. These populations often are eligible for the same or similar programs — state education assistance, AFDC, and JTPA. The real issue is understanding to what extent resources exist, and by corollary, what gaps exist in meeting needs.

One useful route is to chart available resources services for a special population. A discussion of this process is detailed in the next sidebar.

Drawing a Resource Map

A particularly difficult population to find employment for is youth-at-risk. The following example suggests one way to survey resources.

One approach is to begin with a flow chart of resources available to a 14-year-old youth in school, a crucial age for staying in school or dropping out:

- What state and federal programs are available to provide him/her with education and training for a job upon graduation from high school?
- What support services are available if he/she is physically and/or mentally handicapped?
- What resources are available if he/she is a single parent?
- What alternative training/education services are available if he/she drops out of school?

A similar profile can be made for high school graduates in search of further training, recently dislocated workers, middle-aged displaced homemakers, the incarcerated, and so on. Such a review should indicate gaps in services, duplication of effort, and some ideas on coordinating a better way to align state resources — in other words, how to develop a major strategic plan for their use.

Another approach is to list state agencies with resources available for employment preparation. The Pennsylvania House Appropriations Committee conducted an inventory of employment and training resources available through the state departments of aging, commerce, community affairs, education, labor and industry, and public welfare. The survey included not only resources for training, but also job search assistance and related support services. For each resource identified in the inventory, information was collected on the types of services available, the eligibility criteria, the service delivery mechanism, the number of persons served, and the source and amount of funding provided. The survey gives a good indication of the level of resource investment in job training in Pennsylvania.

California's Assembly Office of Research took a similar approach to examining the state's investment in job training. In its report, *Training Tomorrow's Workers*, the office examined how to better utilize its investment.

> Getting and holding a job is a principal measure of success in our society. Yet, in California our billion dollar efforts to prepare people to enter the work force or to obtain the new skills needed in the quickly changing labor market are often ineffective. People completing an employment preparation program with high hopes of finding work too often find themselves inadequately trained, or trained in skills for which there is no demand; they remain jobless and unemployable. Employers, in turn, cannot find the skilled employees they need.

The report analyzed programs that prepare youth and adults for employment, measured those programs by criteria for an effective employment preparation system, and recommended legislation to create a new structure for youth and adult employment preparation to insure that people completing vocational training will be employable. The legislature used the report as a major blueprint for planning its agenda.

Identifying Needs

Once necessary information has been identified and the level of resources is known, it should be possible to pinpoint where additional resources are needed or where to reallocate existing ones. The areas requiring greater resources can take a variety of forms, some of which include:

- Providing programs for identified populations not being served;
- Filling gaps in services such as career counseling and job placement;
- Increased support services for target populations;
- Examining credentialing in long-term versus short-term training for similar occupations; and
- Mandating greater coordination of program evaluation criteria or LMI data collection efforts.

Especially if legislative action is required, the real issue is gaining consensus on where to place these sources. Job training has a broad constituency — minority groups, other special interests, and business and union lobbyists. These groups are capable of forming loose, yet potentially powerful coalitions. In one state, a legislative cap on the permissible level of administrative costs for JTPA became a serious issue for the legislator who proposed the cap. The cap was lobbied against and overturned by his colleagues in a later session.

Developing Strategies

Legislators must consider how a climate or consensus of agreement can be developed to insure passage of a bill. Several principles make this consensus easier to achieve. First, legislative strategies do not necessarily require additional resources. Rather, they often require a different perspective on allocating resources. Achieving this perspective can come from a variety of mechanisms mentioned earlier in this chapter. Changing eligibility requirements is one example of reallocating resources. The Oregon legislature took this approach when it passed a bill encouraging unemployment insurance recipients to enter training programs.

After the model of Massachusetts' Bay State Skills Corporation, Kentucky reallocated a vocational education program to fund the establishment of the Bluegrass State Skills Corporation. Kentucky legislators thought that using a corporation rather than an agency to set up a program was one way to gain broader support among the state's citizens. When the Kentucky legislature received House Bill 111 to establish the corporation, the committee recommending it explained how the program should differ from the state's JTPA. Its recommendation illustrates how to develop a different strategy for using existing resources. The last sidebar is from the text of explanatory material that introduced the Bluegrass State Skills Corporation in the Kentucky House of Representatives.

Other tactics do not require passage of a law. Holding hearings, as several states have done on youth unemployment, can draw attention to an issue or need. Furthermore, correspondence on points of interpretation by state administrative officials could prove useful. This strategy would create a paper trail for audit purposes if the legislature is concerned about the expenditure of funds.

Since training programs happen at the local level, a successful strategy will have had local input into its development. A successful policy also should allow for evaluation to determine how effective legislative intervention has been. Little is accomplished by changing agency management, opening up programs to additional populations, or modifying reporting requirements if those changes do not improve the state's employment and training services in some measurable way. In brief, a good strategy creates the policy for a flexible training system that allows a state's administration to serve citizens more effectively without continued legislative intervention. The bottom line is how well people are being served locally.

Whether to pass employment and training legislation is an individual state decision. This chapter and the guide in general have included a broad range of actions legislatures can take. The federal law clearly permits a state role for legislative involvement. The rewards to a state can be considerable.

Differential Strategy for Kentucky's Bluegrass Skills Corporation

Would a Bluegrass State Skills Corporation unnecessarily duplicate services already being provided under JTPA? The answer to this question is "no" for the following reasons:

1) JTPA is a federal program subject to regulation under the federal act. The provision of services under JTPA is limited to youth and unskilled adults, economically disadvantaged individuals, and others facing serious barrier to employment.
2) A skills corporation is an economic development tool rather than simply a training tool, and it would provide services to a sector of society not now receiving training.
3) A skills corporation could be a part of a two-step process to be used in conjunction with JTPA to provide training for jobs needed by industry. Training could occur in all institutions of education, rather than being limited to the vocational system as is the case now.
4) JTPA prepared individuals for entry into the job market, while a skills corporation offers a high degree of training tailored to an employer's particular needs. Programs under a skills corporation, such as the Bluegrass State Skills Corporation, could provide a variety of training levels including employee upgrading, retraining and advanced (college- and university-level) training.
5) Administrative costs are low under a skills corporation because the corporation serves as a funding entity that provides the catalyst to public-private training partnerships.
6) The goal of the Bluegrass State Skills Corporation is not to duplicate existing services, but to enhance the availability of training programs to meet the employment needs of industry in the state. A wider array of training programs can contribute greatly to the ability of Kentucky to attract and keep growing companies.

Appendix A
Specific State Legislative Roles Found in the Job Training Partnership Act

The Job Training Partnership Act requires major state involvement to operate. Although the state executive is mentioned frequently in the law, that does not mean that state legislative participation is limited only to the few times it is mentioned. JTPA must operate according to state policies and practices, which allows for extensive, implicit involvement of the legislature. The following sections of JTPA suggest some ways state legislatures can participate.

1. Section 105: The state legislature has the right to review and comment on local job training plans.

Comment: Service Delivery Areas must make these plans available for review and comment "to each house of the state legislature for appropriate referral" not less than 120 days before the beginning of the first of the two program years covered by the plan. A final plan must be submitted to the Governor for approval not less than 80 days before the first program year. The legislature might want to use this opportunity to assure itself that local plans are in compliance with state law, as well as federal law, and with state priorities in economic development, secondary, postsecondary, and vocational education, and interagency and interprogram coordination. Establishing an appropriate committee for referral of JTPA functions can help achieve these goals.

2. Section 122: The state legislature can have representation on the State Job Training Coordinating Council. It can receive recommendations from the Council for ways to improve the effectiveness for job training and related programs in the service delivery areas; and it can receive from the Council comments and recommendations on the relevancy and effectiveness of employment and training and related service delivery systems in the state. Also, this section permits the Governor to transfer to the Council, to the extent such is permitted by applicable law, state coordinating functions for the work incentive program or any advisory council established under the Wagner-Peyser Act.

Comment: State legislative leadership may want to confer/negotiate with the Governor on the extent of the legislative representation on SJTCC and determine who should be appointed. The legislature may want to instruct the Council on the specific information it would need to document the analyses and recommendations the Council will make. Also, reducing the number of mandatory state boards and commissions was an important feature in NCSL's discussions with Congress during JTPA's development. Therefore, the legislature may want to examine any pertinent statutes that govern the consolidation of like bodies in order to accomplish such a reduction and effect better coordination between programs.

3. Section 123: The legislature may want to become involved in approving matching funds, or the equivalent, for state education coordination.

Comment: Although this is not a requirement of JTPA, the legislature may have to act in keeping with its appropriating powers, as well as whatever constitutional functions it may have in educational policymaking.

4. Section 126: Acknowledges the authority of the state legislature to enact implementing legislation for the programs funded under this Act.

Comment: This important first in federal employment and training laws recognizes the constitutional role of legislatures as state policymaking bodies, as well as the importance of proper checks and balances.

5. Section 127: The legislature may have to be involved in approving interstate agreements to facilitate compliance with this section of the Act.

Comment: Clearly, this process of interstate agreements depends on constitutional prerogatives. Nevertheless, creative solutions may be necessary to iron out difficulties that might arise from labor market areas that cross state lines.

6. Section 141: Education programs supported with funds from this Act must meet state and local educational standards, which may be set by direction of the legislature in some states, and academic credit and certification must meet the requirements of applicable state and local law and regulation.

Comment: In many states, legislatures are charged with the constitutional responsibility of establishing broad educational policy. This Act will require some legislative attention to matching requirements and standards for educational achievement as they may be directed by the legislature, and perhaps some attention to accrediting and certifying adult education, vocational education, basic education, technical education, for example, as they might apply to specific job training needs.

7. Section 142: State minimum wage laws must be considered when setting wage and compensation levels for on-the-job training and program employment.

Comment: A review of these laws relative to this program may be required.

8. Section 143: State Health and Safety and Workmen's Compensation Laws must be adhered to.

Comment: A review of these laws relative to this program may be required.

9. Section 164: Violation of applicable federal and state law by any subgrantee can bring about the imposition of sanctions by the Secretary of Labor consistent with the provisions of the Act.

Comment: This section is another acknowledgment of the importance of state checks and balances and of the authority of the legislature to set the tone for all programs operated by the state.

10. Section 164: The state is required to set up fiscal control and fund accounting procedures, as well as to assure an independent financial and compliance audit of each recipient every two years.

Comment: Because of its fiscal responsibilities, the legislature may be responsible for these activities and may want to provide some direction.

11. Section 170: The Secretary of Labor may accept and use the services and facilities of the agencies of any state or political subdivision of a state with its consent.

Comment: This may be a pro forma action on the part of the state, but the legislature should be aware of it.

12. Section 205: The learning network for participants in the youth program funded in Title II must prepare students to meet state and locally determined general education diploma and basic education competency requirements.

Comment: In some states, the legislature may play an important role in setting educational attainment requirements.

13. Section 302: The legislature may have a policy role in establishing procedures for identifying eligible groups of dislocated workers for employment and training assistance.

Comment: This section is self-explanatory.

14. Section 304: The legislature will have an important policy role in providing the matching requirements for a state to qualify to receive funds for employment and training assistance for dislocated workers.

Comment: This may be one of the most important functions for the legislature to carry out early on, as the Dislocated Workers' Program is generally seen as a most urgent function of the Act.

15. Section 435: Job Corps programs have state participation functions that require adherence to applicable state laws and standards, and federal coordination with state-operated programs.

Comment: Because state laws apply, the legislature will have a policymaking role regarding state-federal interaction in Job Corps and related programs.

16. Section 441: Programs to meet the employment and training needs of service-connected disabled veterans, veterans of the Vietnam era, and veterans who are recently separated from military service may be operated through existing public agencies or private nonprofit organizations.

Comment: The legislature may want to consider the state's ability to interact with this federal program and to assume some of the responsibilities for it.

17. Section 501: Amendments to the Wagner-Peyser Act which governs the operation of the United States Employment Service and its coordination of state employment services throughout the country.

Comment: These represent the first major amendments to the Wagner-Peyser Act since its inception in 1933. Therefore, there are significant issues here that should be of major interest to state legislatures, especially the maintenance of operational and administrative arrangements between the employment service and the unemployment insurance program in the states. State legislatures have considerable authority over the operation of this program since Section 4 of the original Wagner-Peyser Act gives the legislature the authority to create the state agency "vested with all the powers necessary to cooperate with the United States Employment Service under this Act."

Appendix B
Fourteen Questions to Ask About a State's LMI Operation

Labor market information is a particularly thorny area for legislators. LMI deals not only with information on people in the labor market, but also on how to match them to jobs in the labor market. LMI is a crucial component for developing a state job training system. Every state has at least 10 agencies that handle some aspect of LMI:

- JTPA administrative entity;
- State Job Training Coordinating Council;
- State Advisory Council on Vocational Education;
- Vocational education administrative agency and related adult education programs;
- Community college administrative agency;
- Employment service or state recipient of Wagner-Peyser monies;
- State welfare agency;
- State occupational information coordinating committees;
- State economic development agency;
- State census data center (in all states except Wyoming).

All based on statutory authority, these agencies collect data and have reporting requirements with some interlocking memberships and function. The first job for the legislator interested in LMI is to collect basic descriptive data on these agencies. The data collection can be designed to answer a set of questions to determine LMI operation:

1) What are the agency's information budgets? How are information activities staffed?
2) Who has oversight responsibilities for information coordination? What oversight functions are performed?
3) What costs of data collection are paid with federal monies? What costs are paid for by the state?
4) Is any overlap or duplication in information collection or dissemination immediately apparent?
5) Are there data gaps that are not being met?
6) How computerized or automated are these programs? (The purpose of this question is to determine how easy it is to gain access to the information being collected.)

7) How uniform are planning cycles and geographic planning areas across agencies? Are data available to meet different agency needs?
8) How standardized are agency definitions for common terms? Where common definitions do not exist, how easy can it be to differentiate data sets among separate agencies?
9) Do all agencies use common demographic and economic projections?
10) Is there any attempt to coordinate legislative oversight of these programs?
11) What methods of data user evaluation assess the agency's information products? Are these evaluation methods comparable?
12) Is participant followup coordinated among agencies?
13) Are staff involved in ongoing training programs keeping pace with technological advances? Is training available in the use of the data?
14) Are legislative staff allowed to participate in this training?

In many states, it will be difficult to get a set of definitive answers to these questions. Merely asking them may cause some consternation among agencies, which might lead to more accountable administrative management.

The legislature may have to take the lead in assuring that some kind of interim information sharing becomes institutionalized annually. The legislature also may have to be responsible for making administrators understand factors such as constituent pressures and time constraints on the lawmaking body. Communicating reciprocal needs, however, has proved successful for those states establishing job training policies, especially when a comprehensive perspective to job training strategies is proposed.

82

Notes

1. For a more detailed discussion of this issue, see Winnefred M. Austermann, ed., *A Legislator's Guide to the Oversight of Federal Funds* (Denver: National Conference of State Legislatures, June 1980).

2. For additional information, see "Legislative Responsibilities and State Liabilities: The Federal Job Training Partnership Act," *State Legislative Report*, Vol. 9, No. 4 (Denver: National Conference of State Legislatures, December 1984).

3. For an additional discussion of what role legislatures can play in the development of the state's use of performance standards, see "How Do You Know If Your State's Job Training Programs Work?" *State Legislative Report*, Vol. 10, No. 7 (Denver: National Conference of State Legislatures, September 1985).

4. For a further discussion of these issues, see *Liability Under the Job Training Partnership Act* (Washington, D.C.: National Governors' Association, the National Association of Private Industry Councils, and the United States Conference of Mayors, May 1984).

5. For a state-by-state review of this activity, see Barbara Y. Hailes, *Directory of State Legislative Involvement with the Job Training Partnership Act* (Washington, D.C.: National Conference of State Legislatures, 1985).

6. Gary Walker, *An Independent Sector Assessment of the Job Training Partnership Act, Phase I: The Initial Transaction* (New York: Grinkler, Walker, and Associates, 1984).

7. For a discussion of this issue, see Rich Jones, "Legislators Serving on Boards and Commissions," *Legislative Management Series*, Vol. 8, No. 2 (Denver: National Conference of State Legislatures, February 1983).

8. The JTPA law is quite technical on some of these points, which are beyond the overview of this guide. For a more detailed discussion, call or write NCSL's Job Training Program.

9. *An Overview of the New Job Training System*, Survey Report No. 1 (Washington, D.C.: National Alliance of Business, January 1984).

10. For a further discussion of coordinating a state's education and job training policies, see "Aligning State Education and Job Training Policy," *State Legislative Report*, Vol. 9, No. 5 (Washington, D.C.: National Conference of State Legislatures, December 1984).

11. For a more complete discussion of these issues, see James Darr, Andrew Hahn, and Paul Sterman, *Getting 100 Percent Results from the Eight Percent Education Set-Aside Under the Job Training Partnership Act* (Washington, D.C.: National Commission for Employment Policy, April 1985).

12. *The Job Training Partnership Act: An Analysis of Support Cost Limits and Participant Characteristics*, GAO/HRD-86-16 (Washington, D.C.: U.S. General Accounting Office, November 6, 1985).

13. *Analysis of Coordination Criteria in the Governor's Coordination and Special Services Plan* (Washington, D.C.: National Governors' Association, 1984).

14. *Final Report to the Oregon Legislative Assembly: The Legislative Role in the Job Training Partnership Act and Linking Job Training with Economic Development* (Salem, Oregon: Legislative Research Office, May 1984).

15. For a more detailed discussion of this issue, see *Retraining of the Unemployed in North Carolina: A Progress Report* (Raleigh, N.C.: State Advisory Council on Education, 1984).

16. Burt Carlson, *Barriers and Opportunities for Linking Programs and Policies* (Washington, D.C.: National Governors' Association, 1985).

17. For a more detailed discussion on options for employment service reform, see Marc Bendick, Jr., *Matching Workers and Job Opportunities: What Role for the Federal-State Employment Service?* (Washington, D.C.: Bendick and Egan Economic Consultants, Inc., 1985).

18. NCSL finds that legislators are increasingly scrutinizing state vocational education programs. One of the central concerns is how to evaluate program performance by either measurement of competencies attained from instruction or percentage of placement upon completion of instruction. This is a complicated issue, especially when considering the differences between secondary and postsecondary programs. This problem emerges in JTPA performance standards under the assessment of in-school and out-of-school youth programs. NCSL will be preparing a special report on this issue.

19. *Business Currents: Technical Report*, No. 10 (Washington, D.C.: National Alliance of Business, August 1, 1984).

Selected References

Betsey, Charles L., Hollister, Robinson G., Jr., and Papageorgiou, Mary R., eds. *Youth Employment and Training Programs: The YEDPA Years.* Washington, D.C.: National Academy Press, 1985.

Center for Policy Research. *Analysis of Coordination Criteria in the Governor's Coordination and Special Services Plan.* Washington, D.C.: National Governors' Association, 1984.

_____. *A Report on the Status of State-Level Administration of the Job Training Partnership Act.* Washington, D.C.: National Governors' Association, 1984.

_____. *JTPA Follow-Up: A Decision Maker's Guide to the Issues.* Washington, D.C.: National Governors' Association, 1984.

_____. *Report on Joint Survey of State Provision of JTPA Technical Assistance.* Washington, D.C.: National Governors' Association, 1985.

Cook, Robert F. et al. *Early Service Delivery Area Implementaiion of the Job Training Partnership Act.* Rockville, Md.: Westat, Inc., 1984.

_____. *State Level Implementation of the Job Training Partnership Act.* Rockville, Md.: Westat, Inc., May 1984.

_____. *Transition Year Implementation of the Job Training Partnership Act.* Rockville, Md.: Westat, Inc., 1985.

Dement, Edward F. "The Roles, Responsibilities and Major Accomplishments of State Job Training Coordinating Councils Under the Job Training Partnership Act of 1982." *Research Report Series* RR-85-11. Washington, D.C.: National Commission for Employment Policy, 1985.

Developing Quality Training. Washington, D.C.: National Alliance of Business, 1984.

Explanation and Analysis of Job Training Partnership Act of 1982. Washington, D.C.: National Alliance of Business, 1983.

Hailes, Barbara. *Directory of State Legislative Involvement with the Job Training Partnership Act.* Denver: National Conference of State Legislatures, 1985.

Johnson, Terry R. *A National Evaluation of the Impact of the United States Employment Service.* Menlo Park, Calif.: Stanford Research Institute International, 1983.

Lester, Brenda. *Practitioner's Guide for Training Older Workers.* Washington, D.C.: National Commission for Employment Policy, 1984.

Liability Under the Job Training Partnership Act. Washington, D.C.: National Governors' Association, National Association of Private Industry Councils, and United States Conference of Mayors, 1984.

Managing the Ten Percent Set-Aside. Washington, D.C.: National Commission for Employment Policy, 1983.

Massell, Diane. "Legislative Participation on the State Job Training Coordination Council," unpublished paper. Washington, D.C.: National Conference of State Legislatures, June 12, 1984.

Riffel, Rodney. "Aligning State Education and Job Training Policy." *State Legislative Report*, Vol. 9, No. 5. Denver: National Conference of State Legislatures, December 1984.

_____. "How Do You Know If Your State's Job Training Programs Work?" *State Legislative Report*, Vol. 10, No. 7. Denver: National Conference of State Legislatures, September 1985.

_____. "Responsibilities and Liabilities: The Federal Job Training Partnership Act." *State Legislative Report*, Vol. 9, No. 4. Denver: National Conference of State Legislatures, December 1984.

Tarnage, Wayne M. et al. *The Organization of Title III of the Job Training Partnership Act in Fifty States.* Rockville, Md.: Westat, Inc., 1984.

U.S. General Accounting Office. *The Job Training Partnership Act: An Analysis of Support Cost Limits and Participant Characteristics.* Report of the Comptroller General to the Congress. Washington, D.C.: Government Printing Office, November 6, 1985.

_____. *Job Training Partnership Act: Initial Implementation of Program for Disadvantaged Youth and Adults.* Report of the Comptroller General to the Congress. Washington, D.C.: Government Printing Office, March 4, 1985.

U.S. Congress. The Job Training Partnership Act, P.L. 97-300, October 13, 1982.

Van Daniker, Relmond P., Schumacher, Beth L., and Robinson, Camille. *Financial Management Guide for State Agencies Administering the Job Training Partnership Act.* Lexington, Ky.: The Council of State Governments, 1984.

Walker, Gary et al. *An Independent Sector Assessment of the Job Training Partnership Act. Phase I: The Initial Transition.* New York: Grinkler, Walker, and Associates, 1984.

Walker, Gary, Feldstein, Hillary, and Solow, Katherine. *An Independent Sector Assessment of the Job Training Partnership Act. Phase II: Implementation.* New York: Grinkler, Walker, and Associates, 1985.

The list of documents in the bibliography has been confined to material applicable to all states, i.e., national in scope. Much of the material on the Job Training Partnership Act has been issued by state councils and state administrators. The selective issuance of this material makes it difficult to locate and, therefore, it has been excluded from the list. State legislators and staff interested in the JTPA are encouraged to contact their state councils and administrators for information. As noted in the text, job training is a wide-ranging term that includes a variety of issues, target populations, and administrative entities. Each of these orientations has its own set of information as well as sources. Legislators interested in further information should not hesitate to call or write NCSL's Job Training Program.

National Conference of State Legislatures

Earl S. Mackey, Executive Director

1560 Broadway, Suite 700
Denver, CO 80202-5140
(303) 830-2200 FAX (303) 863-8003

Washington Office
444 North Capitol Street, N.W., Suite 500
Washington, DC 20001
202 624-5400